IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT Application of:	Confirmation No.: 6319
PERHOLTZ, Ronald J.	Attorney Docket: 2540-0550
Appl. S.N.: 10/032,325	Group Art Unit: 2145
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Title: SYSTEM AND METHOD FOR REMOTE MONITORING AND OPERATION OF PERSONAL COMPUTERS	Date: May 7, 2009

DECLARATION OF JOSEPH C. MCALEXANDER, III UNDER 37 C.F.R. § 1.132

I, Joseph C. McAlexander, III, hereby declare as follows:

I have been asked by counsel for the assignee of the above-referenced application to provide my analysis and opinions regarding certain matters raised by the September 12, 2008 Office Action. Specifically, I have been asked to analyze and to respond to the rejections of the pending claims raised in that Office Action. I am being compensated on an hourly basis for my work in connection with this declaration.

I. QUALIFICATIONS

I am a Registered Professional Engineer and hold a Bachelor of Science degree in Electrical Engineering from North Carolina State University. I have been associated with the electronics and integrated circuit industries as a designer and consultant for the last 36 years and have been awarded twenty-five U.S. Patents and a number of foreign patents for my contributions. A more detailed account of my work experience and other qualifications is listed in my Curriculum Vitae attached as Exhibit 1.

II.   BASIS OF OPINIONS FORMED

In preparing this declaration, I have reviewed and considered U.S. Patent No. 5,732,212 ("the '212 patent") which is the basis of the present reissue application, the September 12, 2008 Office Action, including the references applied in the office action. I have also relied on my education, experience, and knowledge of basic engineering practices in the industry as well as my understanding of the applicable legal principles describe below. My opinions are based in part on study of those documents, materials, knowledge and experience.

III.   LEVEL OF ORDINARY SKILL IN THE ART

I understand that factors such as the education level of those working the field, the sophistication of the technology, the types of problems encountered in the art, prior art solutions to those problems, and the speed at which innovations are made may establish the level of skill in the art. In my opinion, a person of ordinary skill in the art at the time the present invention was made would have a bachelors degree in electrical engineering, or the equivalent education, with about 5 years of technical experience in component design or integration of components into systems relating to the transmission, reception, coding/decoding, formatting/reformatting of computer signals.

IV.   APPLICABLE LEGAL STANDARDS

I understand that for a claim to be anticipated by a prior art reference, every element and limitation of the claim must be contained, either expressly or inherently, in a single prior art reference. I understand that for a reference to inherently disclose an element, it must be necessarily true that the reference included that element or functions in accordance with the

claim element. I further understand that for a prior art reference to anticipate, the prior art reference must enable one skilled in the art to practice the claimed invention.

I also understand that a claimed invention is unpatentable under 35 U.S.C. §103 as being obvious if the differences between the invention and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Obviousness, as I understand, is based on the scope and content of the prior art, the differences between the prior art and the claim, the level of ordinary skill in the art and secondary indicia of obviousness to the extent they exist. Secondary indicia of obviousness may include, for example: a long felt but unmet need in the prior art that was satisfied by the invention of the patent; commercial success or lack of commercial success of processes covered by the patent; unexpected results achieved by the invention; praise of the invention by others skilled in the art; taking of licenses under the patent by others; deliberate copying of the invention; and contemporaneous and independent invention by others. I also understand that there must be a nexus between any such secondary indicia and the invention. In forming my opinions on obviousness grounds, I considered the above secondary indicia to the extent that such evidence is apparent from the prior art.

V.   OPINIONS REGARDING REJECTION OF PENDING CLAIMS

As an initial matter, I understand that certain claims pending in the '325 application are being amended concurrently with the filing of this declaration. I have quoted and used the claim language as amended in providing my opinions regarding the rejections. My conclusions with respect to the rejections remain the same regardless of whether the amended or unamended versions of the claims are analyzed. In my analysis, I have used the broadest reasonable meaning

of the claim terms consistent with the specification and the knowledge of those of ordinary skill in the art at the time of the inventions.

A.   Rejection of Claims 136-139 and 144 under 35 U.S.C. § 102(b) as being Anticipated by Sheets (US 4,513,373)

The Office Action rejects claims 136-139 and 144 under 35 U.S.C. § 102(b) as being anticipated by Sheets (US 4,513,373). I find that the cited portions of Sheets do not disclose the elements of the rejected claims for at least the reasons provided below. Thus, I conclude that the rejections are incorrect.

1.   Claim 136

Claim 136 recites:

> 136. A system for interfacing digitized keyboard signals with a computer processor generating analog video signals, comprising:
>
> a remote access facility;
>
> a non-dedicated serial channel; and
>
> a computer access interface receiving from the remote access facility via the non-dedicated serial channel the digitized keyboard signals and transmitting to the remote access facility via the non-dedicated serial channel a digitized version of the analog video signals, wherein the non-dedicated serial channel is between the remote access facility and the computer access interface.

Claim 136 recites a "system for interfacing digitized keyboard signals with a computer processor generating analog video signals." The system includes "a remote access facility," "a non-dedicated serial channel," and "a computer access interface." The "computer access interface" receives "the digitized keyboard signals" "from the remote access facility via the non-dedicated serial channel," and transmits "to the remote access facility via the non-dedicated serial channel a digitized version of the analog video signals" generated by the "computer

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processor." Claims 136 states that "the non-dedicated serial channel is between the remote access facility and the computer access interface."

The Office Action has not clearly identified the portions of Sheets that allegedly disclose the elements of claim 136. Thus, the Office Action has failed to identify substantial evidence supporting the assertion that Sheets renders claim 136 unpatentable for anticipation.

For example, for the claimed "remote access facility" and the "non-dedicated serial channel," the Office Action points to column 2, lines 3-25 of Sheets. That portion of Sheets describes port selector 12 and stations and terminals 14, 16, 18, and 20. There is no indication in the Office Action as to which station and terminal allegedly is the "remote access facility" and what is the "non-dedicated serial channel." Presumably, the port selector 12 allegedly corresponds with the "non-dedicated serial channel" and one of the stations/terminals 14, 16, 18, and 20 allegedly corresponds to the "remote access facility." The Office Action identifies Sheets' ASCII terminals 22 and 24 as allegedly describing the claimed "computer access interface." (Office Action, pp. 2-3). Thus, according to the Office Action, all elements of claim 136 are disclosed by Sheets' port selector 12 or the stations/terminals 14, 16, 18, 20, 22, and 24.

At the very least, the cited portions of Sheets do not disclose "a computer access interface ... transmitting ... a digitized version of the analog video signals." The office action cites column 2, lines 26-30 for the alleged disclosure of the "computer access interface." (Office Action, pp. 2-3). But that portion of Sheets simply describes ASCII terminals 22 and 24 and states that they may be VT100 "dumb" terminals. ASCII terminals receive and transmit ASCII symbols. According to Sheets, "[t]he stations 14 and 16, along with the terminals 18, 20, 22 and 24, each utilizes the ASCII communication format for data communication." (Sheets, col. 2, lines 31-33). They do not generate or transmit analog video signals or a digitized version of

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analog video signals. The cited portion of Sheets makes no mention of a "computer processor" that generates "analog video signals." The cited portion of Sheets also does not mention "analog video signals" or "a digitized version of the analog video signals." The Office Action entirely fails to identify any evidence (much less substantial evidence) that Sheets discloses these elements of claim 136.

Moreover, the preamble expressly recites "a computer processor generating analog video signals." The office action does not cite to any portion of Sheets for a disclosure of this claim language. (Office Action, pp. 2-3). Thus, the rejection of claim 136 is deficient for this additional reason.

Claim 136 is patentable for at least the reasons identified above.

2. Claim 137

Claim 137 recites the system of claim 136 "wherein the channel includes a network." Claim 137 is patentable for at least the reasons identified above for claim 136.

3. Claim 138

Claim 138 recites the system of claim 136 "wherein the channel includes a wireline." The Office Action identifies column 2, lines 56-65, as allegedly disclosing the claimed "channel." But column 2, lines 56-65, describes converters 30, 32, 34, and 36, modem sharing device 38, modems 40 and 44, and communication link 42. None of these elements satisfy the language of claim 136 that requires the "non-dedicated serial channel" to be "between the remote access facility and the computer access interface."

For claim 136, the Office Action identified the terminals/stations 14, 16, 18, and 20 as the "remote access facility" and the terminals 22 and 24 as allegedly corresponding to the "computer access interface." The converters, modem sharing device, modems and communication link now

identified for claim 138 is not "between the remote access facility and the computer access interface." Instead, these structures are between the computer 52 and the port selector 12. Thus, the Office Action has failed to identify substantial evidence that the cited portion of Sheets discloses the "channel" recited in claim 138.

Claim 138 is patentable for at least the reasons identified above.

4. Claim 139

Claim 139 recites the system of claim 136 "wherein the channel includes a modem-to-modem communication channel." The Office Action identifies column 2, lines 56-65, as allegedly disclosing the claimed "channel." But column 2, lines 56-65, describes converters 30, 32, 34, and 36, modem sharing device 38, modems 40 and 44, and communication link 42. None of these elements satisfy the language of claim 136 that requires the "non-dedicated serial channel" to be "between the remote access facility and the computer access interface."

For claim 136, the Office Action identified the terminals/stations 14, 16, 18, and 20 as the "remote access facility" and the terminals 22 and 24 as allegedly corresponding to the "computer access interface." The converters, modem sharing device, modems and communication link now identified for claim 138 is not "between the remote access facility and the computer access interface." Instead, these structures are between the computer 52 and the port selector 12. Thus, the Office Action has failed to identify substantial evidence that the cited portion of Sheets discloses the "channel" recited in claim 139.

Claim 139 is patentable for at least the reasons identified above.

5. Claim 144

Claim 144 recites the system of claim 136 "wherein the computer access interface further receives computer keyboard commands from the computer processor and transmits the keyboard

commands on the non-dedicated serial channel to the remote access facility." For claim 144, the Office Action merely states that the subject matter of clam 144 "is the dumb terminal in Sheets" and cites to column 2, lines 26-30, and column 3, line 61-column 4, line 3. The "dumb terminals" identified by Sheets are VT100 terminals. (Sheets, col. 2, lines 26-30).

Claim 144 is patentable for at least the reasons identified above, including the discussion of the dumb terminals in Claim 136.

B.   Rejection of Claim 246 under 35 U.S.C. § 102(b) as being Anticipated by Moore (US 4,816,810)

The Office Action cites Moore, US 5,287,461, as allegedly anticipating claim 193 under 35 U.S.C. § 102(b). I find that the cited portions of Moore do not disclose the elements of the claim 246 for at least the reasons provided below. Thus, I conclude that the rejection is incorrect.

Claim 246 recites:

> 246. A remote access interface between a remote workstation having an associated remote monitor and a host device having an associated host monitor, comprising:
>
> a host mouse;
>
> a video capture circuit to intercept analog video signals from the host device and applying the analog video signals to the host monitor such that the host monitor displays a host pointer associated with the host mouse;
>
> a mouse capture circuit to capture remote mouse signals from the remote workstation over a telecommunication path and to transmit the remote mouse signals to the host device for further processing as though the remote mouse signals were received from the host mouse;
>
> a mouse adjustment process to cause the host pointer on the host monitor to jump to a position determined by the remote mouse signals.

The Office Action cites Moore, US 4,816,810, as allegedly anticipating claim 246. This rejection should be reversed. Moore '810 has virtually nothing to do with the subject matter recited in claim 246. Moore '810 describes a typical computer mouse coupled to a local computer with the addition of a second "acceptance" button for the mouse added so that the mouse does not move when the user intends to press the mouse button. (Moore '810, col. 1, line 44-col. 2, line 2). Moore '810 simply splices remote acceptance switch 54 into two of the mouse wires to allow separate actuation of the mouse button. (Moore '810, Figure 3).

Claim 246, on the other hand, describes a "remote access interface" between a "remote workstation" having a monitor, and a "host device" having an associated monitor. The "remote access interface" includes "a host mouse," a "video capture circuit," a "mouse capture circuit," and a "mouse adjustment process." The "video capture circuit," the "mouse capture circuit," and the "mouse adjustment process" each have additional limitations required by the claim. For example, the "video capture circuit" is disposed "to intercept analog video signals from the host device and to apply the analog video signals to the host monitor such that the host monitor displays a host pointer associated with the host mouse." The "mouse capture circuit" is disposed "to capture remote mouse signals from the remote workstation over a telecommunication path and to transmit the remote mouse signals to the host device for further processing as though the remote mouse signals were received from the host mouse." Finally, the "mouse adjustment process" is disposed "to cause the host pointer on the host monitor to jump to a position determined by the remote mouse signals."

The Office Action has identified no portions of Moore '810 that disclose the claimed "video capture circuit," the "mouse capture circuit," or the "mouse adjustment process." The only portions of Moore '810 identified in the Office Action describe a typical mouse or the

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remote acceptance switch. Nothing else is identified. Thus, the Office Action has failed to identify substantial evidence that Moore '810 anticipates claim 246.

Claim 236 is patentable for at least the reasons identified above.

C.   Rejection of Claims 165-168, 186-190, 211, 212, 220-221, and 243-246 under 35 U.S.C. § 102(b) as being Anticipated by Rhyne (US 4,901,223)

The Office Action cites Rhyne, US 4,901,223, as allegedly anticipating claims 165-168, 186-190, 211, 212, 220-221, and 243-246 under 35 U.S.C. § 102(b). I find that the cited portions of Rhyne do not disclose the elements of the rejected claims for at least the reasons provided below. Thus, I conclude that the rejections are incorrect.

1.   Claims 165-167

Independent claim 165 recites:

> 165. A system, comprising:
>
> a user station, comprising:
>
>> an analog video source generating analog video signals;
>>
>> an analog video port exhibiting the analog video signals;
>>
>> a video display connected to the video port to retrieve from the port the analog video signals and to display the retrieved analog video signals;
>>
>> a video processor to receive, digitize and packetize the analog video signals into packeted digital video signals;
>
>> a network connector to establish a logical digital data path from the user station to a remote station and to deliver the packeted digital video signals onto the established logical digital data path;
>
>> a keyboard port for keyboard signals, the network connector also delivering keyboard signals from the remote station to the keyboard port via the established logical digital data path;

a mouse port for mouse signals, the network connector also delivering mouse signals from the remote station to the mouse port via the established logical digital data path; and

a processor to retrieve the keyboard and mouse signals from the remote station and to instruct the analog video source to generate new analog video signals based on the retrieved keyboard and mouse signals.

Dependent claims 166 and 167 recite, respectively.

166. A user station as in claim 165 wherein the network connector includes a modem.

167. A user station as in claim 165 wherein the network connector includes a router to read addresses on the packeted digital video signals and route the packeted digital video signals along the established logical digital data path based on the addresses.

With respect to claim 165, the Office Action identifies Rhyne's workstation 16 as allegedly corresponding to the claimed "user station," and Rhyne's host computer 10 as allegedly corresponding to the claimed "remote station." (Office Action, p. 4). There are several aspects of claim 165 that are not disclosed by the cited portions of Rhyne.

The claimed "user station" includes "a video processor to receive, digitize and packetize the analog video signals into packeted digital video signals." The Office Action cites column 8, lines 5-16, of Rhyne for this claim feature. But that portion of Rhyne describes the application protocol running on the workstation 16, and that it sends parameters to the application program in the host computer 10 or commands to the display service 50 (or both) upon entry of keyboard or mouse input. There is no mention of a processor in workstation 16 that receives, digitizes and packetizes analog video signals from the analog video source. This entire element of claim 165 is entirely missing from the cited portions of Rhyne.

Claim 165 also recites a "network connector ... to deliver the packeted digital video signals onto the established logical digital data path." The Office Action identifies a portion of

Rhyne merely describing the communication service 24 that establishes paths between the host computer 10 and a workstation. The cited portion of Rhyne does not disclose a "network connector" that "deliver[s] the packeted digital video signals onto the established logical digital data path." In the cited portions of Rhyne, there is no packeted digital video signals to be passed from the workstation (*i.e.*, the alleged "user station") to the host computer (*i.e.*, the alleged "remote station").

The cited portion of Rhyne does not disclose "a keyboard port for keyboard signals, the network connector also delivering keyboard signals from the remote station to the keyboard port via the established logical digital data path." The Office Action identifies Rhyne's patent at column 8, lines 61-63. But the cited portion of Rhyne relates to the input of commands entered at the workstation (*i.e.*, the alleged "user station"). (Rhyne, col. 8:61-63). There is no disclosure of a "network connector also delivering keyboard signals from the remote station to the keyboard port" of the user station. Indeed, keyboard signals are not sent from the host computer (i.e., the alleged "remote station") to the workstation 16 (*i.e.*, the alleged "user station").

Similarly, the cited portion of Rhyne does not disclose "a mouse port for mouse signals, the network connector also delivering mouse signals from the remote station to the mouse port via the established logical digital data path." Col. 9, lines 27-42, cited in the Office Action merely describe the operation of the application protocol that runs on workstation 16. It does not describe the delivery of any signals, much less mouse signals, from the host computer (i.e., the alleged "remote station") to the workstation 16 (*i.e.*, the alleged "user station").

Finally, col. 10:31-67 of Rhyne does not disclose "a processor to retrieve the keyboard and mouse signals from the remote station and to instruct the analog video source to generate new analog video signals based on the retrieved keyboard and mouse signals." According to the

Office Action, the claimed "remote station" allegedly corresponds to Rhyne's host computer. Rhyne does not disclose the entry of keyboard or mouse signals at the "remote station." Thus, there cannot be a "processor to retrieve the keyboard and mouse signals from the remote station" and "instruct the analog video source [alleged to be in Rhyne's workstation 16] to generate new video signals based on the retrieved keyboard and mouse signals." The video signals displayed at workstation 16 are not based on keyboard or mouse signals from the host computer (i.e., the alleged "remote station").

Dependent claims 166-167 are patentable for at least each of the reasons described above for claim 165. Thus, the anticipation rejections of claims 165-167 should be withdrawn for each of the above reasons.

2. Claim 168

Dependent claim 168 recites:

> 168. The system according to claim 165, further comprising:
>
> a plurality of user stations;
>
> the system further comprising:
>
> > a remote computer, having:
> >
> > > a data entry device port to receive entry device data entered from a standard keyboard or mouse; and
> > >
> > > a video processor to receive, de-digitize and de-packetize the packeted digital video signals back into the analog video signals.

With respect to independent claim 165, the Office Action identified Rhyne's workstation 16 as allegedly corresponding to the claimed "user station," and Rhyne's host computer 10 as allegedly corresponding to the claimed "remote station." (Office Action, p. 4). Thus, claim 168 requires the "remote computer" to have "a video processor to receive, de-digitize and de-packetize the packeted digital video signals back into the analog video signals." The "digital

video signals" received by the "video processor" are the signals that the "video processor" of claim 165 digitized and packetized. Rhyne's host computer 10, however, has no such "video processor." Rhyne's host computer 10 never receives video signals, much less digital video signals, from the workstation. Thus, the Rhyne citation fails to disclose at least this element of claim 168.

The anticipation rejection of claim 168 should be withdrawn for these additional reasons.

3.   Claim 186

Independent claim 186 recites:

> 186. A system for interfacing keyboard signals with a selected
> computer processor generating video signals, comprising:
>
> an on-screen display generator to create a menu for a monitor
> associated with the keyboard signals, said menu listing the selected
> computer processor among a plurality of other computer processors
> for selection by a user of the monitor;
>
> a network access device to interface with a network including the
> plurality of computer processors and the selected computer
> processor;
>
> a video interface to receive information indicative of the video signals
> from the network via the network access device;
>
> a keyboard interface to read the keyboard signals and to deliver the
> keyboard signals to the selected computer processor via the network
> and the network access device.

The cited portions of Rhyne do not disclose a system for interfacing keyboard signals with a selected computer processor including "an on-screen display generator to create a menu for a monitor associated with the keyboard signals, said menu listing the selected computer processor among a plurality of other computer processors for selection by a user of the monitor." Col. 4:58-61 merely states that the operating system of the workstation can be a UNIX-based system or the Virtual Resource Manager from IBM. Presumably, the Office Action is equating

the workstation with the "selected computer processor" recited in claim 186. There is no disclosure in the Rhyne citation of an "on-screen display generator that "create[s] a menu for a monitor associated with the keyboard signals." Nor is there any disclosure of an "on-screen display processor" in which "said menu list[s] the selected computer processor among a plurality of other computer processors for selection by a user of the monitor." These claim elements are entirely missing from the cited portions of Rhyne.

The cited portion of Rhyne also fails to disclose "a video interface to receive information indicative of the video signals from the network via the network access device." The "video signals" are the video signals generated by the "selected computer processor" that is one of a "plurality of computer processors." Col. 10:1-11 cited in the Office Action explains that there are "messages" that are exchanged between the workstation and the host computer, and that the workstation responds to received messages by updating the spreadsheet display. But there is no disclosure of "information indicative of the video signals" from the "selected computer processor" that is received by a "video interface" from "the network via the network access device."

The cited portion of Rhyne also fails to disclose "a keyboard interface to read the keyboard signals and to deliver the keyboard signals to the selected computer processor via the network and the network access device." Column 10:31-67 of Rhyne describes aspects of the application protocol running on workstation 16. The Rhyne citation makes no mention of the "deliver[y of] the keyboard signals to the selected computer processor via the network and the network access device." The Rhyne citation does not describe the sending of keyboard signals across a network, much less the remainder of the elements recited in this portion of claim 186.

The anticipation rejection of claim 186 should be withdrawn for each of the above reasons.

4. Claim 187

Dependent claim 187 recites:

> 187. A system according to claim 186, also for interfacing mouse signals with the selected computer processor, further comprising:
>
> a mouse interface to read the mouse signals and to deliver the mouse signals to the selected computer processor via from the network and the network access device.

In addition to each of the patentability reasons expressed above for claim 186, dependent claim 187 is patentable for an additional reason. The cited portion of Rhyne does not disclose "a mouse interface ... to deliver the mouse signals to the selected computer processor via from the network and the network access device." Column 9:27-42 of Rhyne describes aspects of the application protocol's response to the entry of keyboard or mouse signals. But the application protocol runs on workstation 16. There is no disclosure of the delivery of "mouse signals to the selected computer processor via from the network and the network access device."

Thus, claim 187 is additionally patentable over the cited reference for at least this reason.

5. Claim 188

Dependent claim 188 recites:

> 188. A system according to claim 186, wherein:
>
> the keyboard interface communicates with the selected computer processor through a keyboard port of the selected computer processor.

In addition to each of the patentability reasons expressed above for claim 186, dependent claim 187 is patentable for an additional reason. The cited portion of Rhyne does not disclose that "the keyboard interface communicates with the selected computer processor through a

keyboard port of the selected computer processor." Column 9:27-42 of Rhyne describes aspects of the application protocol's response to the entry of keyboard or mouse signals. But the application protocol runs on workstation 16. As explained in claim 186, the "keyboard signals" are those that are delivered to the selected computer processor via the network and the network access device. Claim 188 states that the "keyboard interface," that reads and delivers the keyboard signals via the network and the network access device, "communicates with the selected computer processor through a keyboard port of the selected computer processor." In the Rhyne citation, there is no disclosure of such a "keyboard interface" or of "a keyboard port of the selected computer processor" that communicates with the keyboard interface.

Thus, claim 188 is additionally patentable over the cited reference for at least this reason.

6.   Claim 189

Dependent claim 189 recites:

> 189. A system according to claim 187, wherein:
>
> the mouse interface communicates with the selected computer
> processor through a mouse port of the selected computer processor.

In addition to each of the patentability reasons expressed above for claim 187, dependent claim 189 is patentable for at least an additional reason. The cited portion of Rhyne does not disclose that "the mouse interface communicates with the selected computer processor through a mouse port of the selected computer processor." Column 9:27-42 of Rhyne describes aspects of the application protocol's response to the entry of keyboard or mouse signals. But the application protocol runs on workstation 16. As explained in claim 187, the "mouse signals" are those that are delivered to the selected computer processor via the network and the network access device. Claim 189 states that the "mouse interface," that reads and delivers the mouse signals via the network and the network access device, "communicates with the selected

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computer processor through a mouse port of the selected computer processor." In the Rhyne

citation, there is no disclosure of such a "mouse interface" or of "a mouse port of the selected

computer processor" that communicates with the mouse interface.

Thus, claim 189 is additionally patentable over the cited reference for at least this reason.

7. Claim 212

Independent claim 212 recites:

> 212. A remote access system communicating with a digital network
> transmission medium to communicate user input signals from a
> remote computer to a host computer via the transmission medium
> and video signals from the host computer to the remote computer
> via the transmission medium, comprising:
>
> a user input process to capture the user input signals for digital
> transmission to the host computer;
>
> a video process to capture the video signals, digitize them and format
> them for transmission to the remote computer, even when the host
> computer has locked up to no longer accept any user input signals;
>
> a standard remote access engine:
>
> to communicate the user input signals on the transmission medium
> between the host and remote computers, and
>
> to communicate the video signals, in digital format, on the transmission
> medium between the host and remote computers, even when the
> host computer has locked up to no longer accept any user input
> signals.

The cited portion of Rhyne does not disclose a remote access system including "a video

process to capture the video signals, digitize them and format them for transmission to the

remote computer, even when the host computer has locked up to no longer accept any user input

signals." The Rhyne citation does not disclose the capture, digitizing, and formatting of video

signals for transmission to a remote computer. The Office Action cites col. 10:18-54. But this

portion of Rhyne merely describes the operation of the application protocol running on

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workstation 16. Presumably this means that the Examiner contends that Rhyne's host computer corresponds to the claimed "remote computer." Rhyne does not send captured, digitized and formatted video signals from the workstation to the host computer.

Moreover, Rhyne does not disclose the capture, digitization, and formatting of video signals for transmission "even when the host computer has locked up to no longer accept any user input signals." No such feature is even remotely disclosed in the Rhyne citation.

The cited portion of Rhyne does not disclose "to communicate the video signals, in digital format, on the transmission medium between the host and remote computers, even when the host computer has locked up to no longer accept any user input signals." The Office Action cites Rhyne's column 10:1-11. Again, that citation describes aspects of Rhyne's application protocol running on workstation 16. The Rhyne citation does not disclose the communication of any video signals, in a digital format or otherwise, on the transmission medium between the alleged host and remote computers. The Rhyne citation certainly does not disclose, or even suggest, that the system communicates such signals "even when the host computer has locked up to no longer accept any user input signals."

The anticipation rejection of claim 212 should be withdrawn for each of the above reasons.

8.   Claim 220

Independent claim 220 recites:

> 220. A computer having a virtual path communication link with a
> remote computer over a network medium, comprising:
>
> a remote access engine;
>
> a data bus;

a set of circuit modules in communication with a set of corresponding host computers to receive analog video signals from the corresponding host computers, to digitize the analog video signals, to synchronize the video signals to a video display characteristic of the remote computer, and to present the digitized and synchronized video signals to the data bus;

a communication port establishing a network connection via the network medium for the remote access engine and a selected one of said set of circuit modules to receive the digitized and synchronized video signals and to deliver the selected digitized video signals to the remote computer for display.

Claim 220 begins by reciting a "computer" including "a remote access engine." The Office Action cites Rhyne at column 4, line 64-column 5, line 3, as allegedly disclosing a computer with a remote access engine. But the Rhyne citation never states that the communication service 24 is a computer with a remote access engine. Rhyne merely states that it can be a "conventional facility for interconnecting a plurality of remote users to a central processor such as a host 10." This "facility" can be something as simple as an Ethernet switch. Thus, Rhyne fails to provide any detail of this facility; it is not inherent that the facility be a computer with a remote access engine.

With respect to the claimed "set of circuit modules" that is recited as part of the "computer," the Office Action inconsistently asserts that Rhyne's workstation 16 satisfies that portion of the claim. (Office Action, p. 6 (citing Rhyne col. 8:5-36)). For the "remote access engine" claim element, the Office Action alleged that the communication service 24 satisfied that element of the claimed "computer," but then alleges that an entirely different component of the Rhyne system (i.e., the workstation 16) satisfies the "set of circuit modules" portion of the claimed "computer." Thus, the Office Action has failed to identify a single alleged "computer" that satisfies all elements of claim 220, notwithstanding the fact that the rejection of claim 220 is an anticipation rejection.

Apart from the fact that the Office Action has identified two separate components of the Rhyne system, the Rhyne citation does not disclose "a set of circuit modules in communication with a set of corresponding host computers to receive analog video signals from the corresponding host computers, to digitize the analog video signals, to synchronize the video signals to a video display characteristic of the remote computer, and to present the digitized and synchronized video signals to the data bus." First, the Rhyne citation simply describes the application protocol in the workstation and the application program in the host computer as separate processes that operate asynchronously and exchange parameters between themselves. Rhyne does not disclose more than a single host computer, and thus, there cannot be "a set of circuit modules in communication with a set of corresponding host computers" as recited in claim 220.

In addition, nothing in the workstation 16 "receive[s] analog video signals from the corresponding host computers." No video signals are sent from Rhyne's host computer to the workstation. Moreover, nothing in workstation 16 is adapted "to digitize the analog video signals, to synchronize the video signals to a video display characteristic of the remote computer, and to present the digitized and synchronized video signals to the data bus." These aspects of claim 220 are completely missing from the Rhyne citation.

Finally, the cited portion of Rhyne fails to disclose the claimed "computer" having "a communication port establishing a network connection via the network medium for the remote access engine and a selected one of said set of circuit modules to receive the digitized and synchronized video signals and to deliver the selected digitized video signals to the remote computer for display." The Office Action again cites to column 8:5-36 as allegedly disclosing this element of claim 220. But the Rhyne citation describes the application protocol in the

workstation and the application program in the host computer as separate processes that operate

asynchronously and exchange parameters between themselves. The Rhyne citation does not

disclose a "communication port ... to receive the digitized and synchronized video signals and to

deliver the selected digitized video signals to the remote computer for display." Rhyne does not

deliver video signals (digital or analog) from the workstation to the host computer. Rhyne's host

computer (i.e., the alleged "remote computer") does not include a monitor that is capable of

displaying video signals. This element is not disclosed in the Rhyne citation.

The anticipation rejection of claim 220 should be withdrawn for each of the above

reasons.

9. Claim 221

Dependent claim 221 recites:

> 221. A computer according to claim 220, wherein:
>
> each circuit module includes:
>
>> a main CPU to coordinate an analog to digital conversion of host
>> video signals from a corresponding host computer;
>>
>> a field programmable gate array, in communication with the main
>> CPU;
>>
>> a video interface circuit, in communication with the field
>> programmable gate array, to capture the host video signals for
>> the main CPU and field programmable gate array;
>>
>> a video RAM to store host video signals digitized by the main CPU
>> and field programmable gate array, and to deliver the digitized
>> video signals to the remote access engine for delivery to the
>> remote computer, the video RAM in communication with the
>> field programmable gate array to receive at least video sync
>> processing from the field programmable gate array;
>>
>> at least one of a mouse driver circuit and a keyboard driver circuit,
>> in communication with the main CPU, to receive, respectively,
>> mouse and keyboard information from the remote computer;

> a bus controller, in communication with the field programmable
> gate array, to communicate information identifying the digitized
> host video signals and the mouse and keyboard information to
> the remote access engine.

Dependent claim 221 recites specific elements of each of the "circuit modules" included

as part of the "computer" recited in claim 220. The Office Action alleges that the claimed "main

CPU," "field programmable gate array," and "bus controller" of each "circuit module" are

disclosed at Rhyne, column 8:5-36. (Office Action, p. 7). But that Rhyne citation describes the

application protocol in the workstation and the application program in the host computer as

separate processes that operate asynchronously and exchange parameters between themselves.

There are no specific circuit components described in this portion of Rhyne whatsoever. Thus,

Rhyne does not disclose these elements of claim 221.

The Office Action alleges that Rhyne's column 10:31-54 discloses the "video interface

circuit" and "video RAM" recited in claim 221. This paragraph of Rhyne describes some aspects

of the application protocol that runs on workstation 16. But again, this portion of Rhyne does

not describe any specific circuit components at all. Thus, Rhyne does not disclose these

elements of claim 221 either.

Finally, the Office Action cites to Rhyne's Figure 3, items 46 and 48 as allegedly

disclosing "at least one of a mouse driver circuit and a keyboard driver circuit, in communication

with the main CPU, to receive, respectively, mouse and keyboard information from the remote

computer." The citation to Rhyne, however, identifies the keyboard driver 46 and mouse driver

48 of the workstation that interface directly with the keyboard and mouse. Those drivers are not

disclosed as receiving keyboard and mouse information "from the remote computer" as recited in

claim 221.

The anticipation rejection of claim 221 should be withdrawn for each of the above reasons.

10.   Claim 211

Independent claim 211 recites:

> 211. A circuit module for a computer having in operation therein a remote access engine to communicate between a host server and a remote workstation, comprising:
>
> a main CPU to coordinate an analog to digital conversion of host video signals from the host server;
>
> a field programmable gate array, in communication with the main CPU;
>
> a video interface circuit, in communication with the field programmable gate array, to capture the host video signals for the main CPU and field programmable gate array;
>
> a video RAM to store host video signals digitized by the main CPU and field programmable gate array, and to deliver the digitized video signals to the remote access engine for delivery to the remote computer, the video RAM in communication with the field programmable gate array to receive at least video sync processing from the field programmable gate array;
>
> at least one of a mouse driver circuit and a keyboard driver circuit, in communication with the main CPU, to receive, respectively, mouse and keyboard information from the remote computer;
>
> a bus controller, in communication with the field programmable gate array, to communicate information identifying the digitized host video signals and the mouse and keyboard information to the remote access engine.

For claim 211, the Office Action merely states that "Claim 211 is substantially the same as claims 220-221." (Office Action, p. 7). This appears to be an incomplete rejection because it does not expressly identify where in Rhyne each element of claim 211 is allegedly disclosed. To the extent that the elements of claim 211 correspond to an element of either claim 220 or 221, I

will assume that the Office Action is making the exact same rejection for claim 211, and respond to those arguments accordingly.

Claim 211 recites a "circuit module" including several elements. The Office Action alleges that the claimed "main CPU," "field programmable gate array," and "bus controller" of each "circuit module" are disclosed at Rhyne, column 8:5-36. (Office Action, p. 7). But that Rhyne citation describes the application protocol in the workstation and the application program in the host computer as separate processes that operate asynchronously and exchange parameters between themselves. There are no specific circuit components described in this portion of Rhyne whatsoever. Thus, Rhyne does not disclose these elements of claim 211.

The Office Action alleges that Rhyne's column 10:31-54 discloses the "video interface circuit" and "video RAM" recited in claim 211. This paragraph of Rhyne describes some aspects of the application protocol that runs on workstation 16. But again, this portion of Rhyne does not describe any specific circuit components at all. Thus, Rhyne does not disclose these elements of claim 211 either.

Finally, the Office Action cites to Rhyne's Figure 3, items 46 and 48 as allegedly disclosing "at least one of a mouse driver circuit and a keyboard driver circuit, in communication with the main CPU, to receive, respectively, mouse and keyboard information from the remote computer." The citation to Rhyne, however, identifies the keyboard driver 46 and mouse driver 48 of the workstation that interface directly with the keyboard and mouse. Those drivers are not disclosed as receiving keyboard and mouse information "from the remote computer" as recited in claim 211.

The anticipation rejection of claim 211 should be withdrawn for each of the above reasons.

11.   Claim 243

Independent claim 243 recites:

> 243. A remote access device for communicating real time video
> signals from a host PC to a remote PC and for communicating
> mouse signals entered in response to the real time video signals
> from the remote PC to the host PC, comprising:
>
> a video process to capture and digitize the video signals from the host
> PC including video signals indicating a position of a mouse pointer
> on a monitor associated with the host PC, the position of said
> mouse pointer identified by the video process being delayed by a
> period associated with the capturing and digitizing steps;
>
> a mouse synchronizer to capture a current mouse position of the mouse
> pointer on the monitor associated with the remote PC;
>
> a video application to communicate the current mouse position of the
> mouse pointer on the monitor associated with the remote PC to the
> host PC whereupon the host PC jumps the host mouse pointer to a
> position coincident with the current mouse position.

The Office Action alleges that Rhyne column 10, line 55 through column 11, line 5,

discloses each element of claim 243. (Office Action, p. 8). But this portion of Rhyne describes

aspects of how the application protocol running on workstation 16 processes mouse inputs to

update the spreadsheet being displayed on the workstation monitor. The Rhyne citation does not

disclose "a video process to capture and digitize video signals from the host PC including video

signals indicating a position of a mouse pointer on a monitor associated with the host PC, the

position of said mouse pointer identified by the video process being delayed by a period

associated with the capturing and digitizing steps." The Rhyne citation does not disclose "a

mouse synchronizer to capture a current mouse position of the mouse pointer on the monitor

associated with the remote PC." Nor does the Rhyne citation disclose "a video application to

communicate the current mouse position of the mouse pointer on the monitor associated with the

remote PC to the host PC whereupon the host PC jumps the host mouse pointer to a position

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coincident with the current mouse position." There is no discussion of capturing and digitizing video signals, or the synchronization of mouse positions between two computers. In fact, it is not entirely clear what portion of the Rhyne system the Office Action alleges corresponds to the "remote PC" and what portion allegedly corresponds to the "host PC." In any event, the elements of claim 243 are entirely missing from the Rhyne citation.

The anticipation rejection of claim 243 should be withdrawn for each of the above reasons.

12. Claim 244

Dependent claim 244 recites:

> 244. A remote access device according to claim 243, wherein the current mouse position is communicated from the remote computer to the mouse synchronizer in the form of current X/Y coordinates of the remote computer mouse pointer.

The Office Action alleges that Rhyne column 10, line 55 through column 11, line 5, and column 19, lines 46-66 discloses the subject matter of claim 244. (Office Action, p. 8). The first citation to Rhyne describes aspects of how the application protocol running on workstation 16 processes mouse inputs to update the spreadsheet being displayed on the workstation monitor. The second citation also describes aspects of the application protocol running on workstation 16 relating to how the mouse cursor movements at workstation 16 are echoed to the monitor of workstation 16, and how the spreadsheet is updated or altered in response to the mouse movements. But claim 244 requires the "current mouse position" be communicated "from the remote computer" (i.e., alleged to be Rhyne's host computer) to "the mouse synchronizer" in the "remote access device." The Rhyne citation entirely fails to disclose the subject matter of claim 244.

The anticipation rejection of claim 244 should be withdrawn for each of the above reasons.

13.   Claim 245

Dependent claim 245 recites:

> 245. A remote access device according to claim 243, wherein the mouse synchronizer captures the current mouse position of the mouse pointer on the monitor associated with the remote PC whenever a remote user clicks a mouse button.

The Office Action cites Rhyne column 5, line 65 through column 6, line 3, as allegedly disclosing the subject matter of claim 245. (Office Action, p. 8). According to claims 245 and 243, the "mouse synchronizer" is part of a "remote access device for communicating real time video signals from a host PC to a remote PC and for communicating mouse signals entered in response to the real time video signals from the remote PC to the host PC." Presumably, Rhyne's host computer allegedly corresponds to the claimed "remote PC" and the workstation allegedly corresponds to the claimed "host PC." According to the claim, the mouse synchronizer captures the current mouse position of the mouse pointer on the monitor associated with the remote PC (i.e., Rhyne's host computer) whenever a remote user clicks on a mouse button. But there is no mouse that is disclosed to be associated with Rhyne's host computer. The only mouse shown is associated with the workstation 16, which seems to correspond with what the Examiner asserts to be the "host PC."[1] Thus, there is no mouse position associated with the "remote PC" under the Examiner's view of Rhyne. Moreover, even if the workstation is now viewed as the "remote PC," the position of the mouse at the workstation is not sent to any device that is alleged

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[1]   This confusion stems from the fact that the Office Action did not clearly identify what part of Rhyne's system allegedly corresponds to the "host PC" and what allegedly corresponds to the "remote PC" in independent claim 243.

to be a "remote access device." In fact, the mouse position is not even sent to the host computer in Rhyne. Instead, Rhyne's workstation interprets the keyboard and mouse inputs, processes those inputs in the application protocol running on the workstation, and, if appropriate, sends parameters or commands to the host computer. (Col. 8:5-36). The Rhyne citation does not disclose the subject matter of claim 245.

The anticipation rejection of claim 245 should be withdrawn for each of the above reasons.

14. Claim 246

Independent claim 246 recites:

> 246. A remote access interface between a remote workstation having an associated remote monitor and a host device having an associated host monitor, comprising:
>
> a host mouse;
>
> a video capture circuit to intercept analog video signals from the host device and applying the analog video signals to the host monitor such that the host monitor displays a host pointer associated with the host mouse;
>
> a mouse capture circuit to capture remote mouse signals from the remote workstation over a telecommunication path and to transmit the remote mouse signals to the host device for further processing as though the remote mouse signals were received from the host mouse;
>
> a mouse adjustment process to cause the host pointer on the host monitor to jump to a position determined by the remote mouse signals.

The Office Action alleges that Rhyne, column 5, line 16, and column 10, line 55 through column 11, line 5, discloses each element of claim 246. These portions of Rhyne describe various aspects of workstation 16. Column 5, line 16, simply states that the workstation includes a mouse. Column 10, line 55 through column 11, line 5, states that the application protocol

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running on the workstation will receive mouse inputs, update the mouse location on the workstation monitor, and update or modify the spreadsheet being manipulated at the workstation. These portions of Rhyne do not disclose (1) "[a] remote access interface between a remote workstation having an associated remote monitor and a host device having an associated host monitor;" (2) "a video capture circuit to intercept analog video signals from the host device and applying the analog video signals to the host monitor such that the host monitor displays a host pointer associated with the host mouse;" (3) "a mouse capture circuit to capture remote mouse signals from the remote workstation over a telecommunication path and to transmit the remote mouse signals to the host device for further processing as though the remote mouse signals were received from the host mouse;" or (4) "a mouse adjustment process to cause the host pointer on the host monitor to jump to a position determined by the remote mouse signals." Rhyne does not disclose a "video capture circuit," a "mouse capture circuit to capture remote mouse signals from the remote workstation" (i.e., Rhyne's host computer), or "a mouse adjustment process." All of these elements are completely missing from the cited portions of Rhyne.

The anticipation rejection of claim 246 should be withdrawn for each of the above reasons.

D. Rejection of Claims 157-162 and 241-242 under 35 U.S.C. § 102(b) as being Anticipated by Lemon (US 4,674,041)

The Office Action cites Lemon, US 4,674,041, as allegedly anticipating claims 157-162 and 241-242 under 35 U.S.C. § 102(b). I find that the cited portions of Lemon do not disclose the elements of the rejected claims for at least the reasons provided below. Thus, I conclude that the rejections are incorrect.

1.   Claim 157

Independent claim 157 recites:

> 157. A system for monitoring a host computer from a remote processor the host computer including a host processor and a host display device port and the remote processor including a remote display device comprising:
>
> a host unit connected between the remote processor and the host computer which (1) causes screen data output on the host display device port to appear also on the remote display device whereby at least a situation requiring a reset operation appears at the host unit and (2) upon receipt of a reset command, causes the host unit to initiate a reset operation of the host computer.

Claim 157 recites a system for monitoring a "host computer" from a "remote processor." The "host computer" includes a "host processor" and a "host display device port." The "remote processor" includes a "remote display device." A "host unit" is connected between the "remote processor" and the "host computer." In addition, the "host unit" "(1) causes screen data output on the host display device port to appear also on the remote display device whereby at least a situation requiring a reset operation appears at the host unit and (2) upon receipt of a reset command, causes the host unit to initiate a reset operation of the host computer."

Lemon describes a system for distributing coupons or other certificates for retail sales of merchandise. (Lemon, col. 1:7-12). Each retail store has a terminal that communicates with a host central processing unit located remote from the stores. (Lemon, col. 2:5-8). The terminals may be monitored and controlled via the host computer to obtain data such as the number of coupons issued, etc. (Lemon, col. 2:13-17).

The Office Action alleges that Lemon's column 26, lines 28-37, and column 27, lines 55-56, disclose "a host unit connected between the remote processor and the host computer which (1) causes screen data output on the host display device port to appear also on the remote display device whereby at least a situation requiring a reset operation appears at the host unit and (2)

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upon receipt of a reset command, causes the host unit to initiate a reset operation of the host computer." The column 26 citation to Lemon states that the terminal T periodically initiates a call to the host H when the full capacity in non-volatile memory 56 allocated for coupon history data is exhausted. (Lemon, col. 26:28-32). The data that is sent to host H is coupon history information and coupon count data. (Lemon, col. 26:38-55). The cited portions of Lemon do not disclose a host unit that "causes screen data output on the host display device port to appear also on the remote display device whereby at least a situation requiring a reset operation appears at the host unit." The Lemon citation never describes an arrangement in which screen data output on the host display device port appears on the remote display device. In the Lemon citation, no screen data from the terminal T, for example, is displayed on a display device associated with host H. This aspect of claim 157 is entirely missing from the Lemon citations.

More fundamentally, however, claim 157 describes a system having at least three components – a remote processor, a host computer, and "a host unit connected between the remote processor and the host computer." The cited portions of Lemon relate to a system having only a group of terminals and a host computer. Those devices are connected by a modem, but the Office Action does not allege that the modem corresponds to the remote processor, the host computer or the host unit. Instead, by alleging that the terminal T discloses the "host unit ..." claim elements, the Office Action is implicitly alleging that the "host unit" corresponds to terminal T. (Lemon, col. 26:28-37). Thus, one of the components expressly recited in claim 157 is missing from the Lemon reference. Either the host unit or the remote processor is not disclosed in Lemon as Lemon has been construed in the Office Action.

The anticipation rejection of claim 157 should be withdrawn for each of the above reasons.

2.   Claim 158

Dependent claim 158 recites:

> 158. The system of claim 157, wherein the host unit also automatically causes a reset operation whenever a connection between the remote processor and the host unit is terminated.

The Office Action alleges that Lemon, column 10, lines 28-60, discloses the subject matter of claim 158. But Lemon's column 10, lines 28-60, describes aspects of the operation of microcomputer 22 within terminal T. More specifically, this passage describes how and when the terminal dispenses coupons. This portion of Lemon does not relate to a host unit "automatically caus[ing] a reset operation whenever a connection between the remote processor and the host unit is terminated." The Lemon citation has nothing to do with causing a reset operation.

The anticipation rejection of claim 158 should be withdrawn for at least the above reason.

3.   Claim 159

Dependent claim 159 recites:

> 159. The system of claim 157, wherein the host unit receives communications from the remote processor via a telephone carrier signal and the host unit includes a carrier detect circuit and automatically causes the reset operation upon a determination made by the carrier detect circuit of the absence or presence of the carrier signal.

The Office Action alleges that Lemon, column 10, lines 28-60, discloses the subject matter of claim 159. But Lemon's column 10, lines 28-60, describes aspects of the operation of microcomputer 22 within terminal T. More specifically, this passage describes how and when the terminal dispenses coupons. This portion of Lemon does not relate to a host unit "unit receiv[ing] communications from the remote processor via a telephone carrier signal and the host unit include[ing] a carrier detect circuit and automatically causes the reset operation upon a

determination made by the carrier detect circuit of the absence or presence of the carrier signal."
The Lemon citation has nothing to do with communications with a remote processor.

The anticipation rejection of claim 159 should be withdrawn for at least the above reason.

4. Claim 160

Independent claim 160 recites:

> 160. A method of monitoring a computer system comprising:
>
> providing a host unit between a host computer and a remote processor;
>   the host computer including a host processor and a host display
>   device port, the remote processor including a remote display
>   device;
>
> using the host unit to cause screen data output on the host display
>   device port to appear also on the remote display device whereby at
>   least a situation requiring a reset operation appears at the host unit;
>   and
>
> receiving a reset command at the host unit and thereupon causing the
>   host unit to initiate a reset operation of the host computer.

For claim 160, the Office Action states that "Claim 160 is substantially the same as claim 157." (Office Action, p. 9). This appears to be an incomplete rejection because it does not expressly identify where in Lemon each element of claim 160 is allegedly disclosed. To the extent that the elements of claim 160 correspond to an element of claim 157, I will assume that the Office Action is making the exact same rejection for claim 160, and respond to those arguments accordingly.

Claim 160 recites a method of monitoring a "computer system" including providing a "host unit" between a "host computer" and a "remote processor." The "host computer" includes a "host processor" and a "host display device port." The "remote processor" includes a "remote display device." In addition, the method includes "using the host unit to cause screen data output on the host display device port to appear also on the remote display device whereby at least a

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situation requiring a reset operation appears at the host unit; and receiving a reset command at the host unit and thereupon causing the host unit to initiate a reset operation of the host computer."

Lemon describes a system for distributing coupons or other certificates for retail sales of merchandise. (Lemon, col. 1:7-12). Each retail store has a terminal that communicates with a host central processing unit located remote from the stores. (Lemon, col. 2:5-8). The terminals may be monitored and controlled via the host computer to obtain data such as the number of coupons issued, etc. (Lemon, col. 2:13-17).

The Office Action implicitly alleges that Lemon's column 26, lines 28-37, and column 27, lines 55-56, disclose "using the host unit to cause screen data output on the host display device port to appear also on the remote display device whereby at least a situation requiring a reset operation appears at the host unit; and receiving a reset command at the host unit and thereupon causing the host unit to initiate a reset operation of the host computer." The column 26 citation to Lemon states that the terminal T periodically initiates a call to the host H when the full capacity in non-volatile memory 56 allocated for coupon history data is exhausted. (Lemon, col. 26:28-32). The data that is sent to host H is coupon history information and coupon count data. (Lemon, col. 26:38-55). The cited portions of Lemon do not disclose using a host unit "to cause screen data output on the host display device port to appear also on the remote display device whereby at least a situation requiring a reset operation appears at the host unit." The Lemon citation never describes an arrangement in which screen data output on the host display device port appears on the remote display device. In the Lemon citation, no screen data from the terminal T, for example, is displayed on a display device associated with host H. This aspect of claim 160 is entirely missing from the Lemon citations.

More fundamentally, however, claim 160 describes a method of monitoring a system having at least three components – a remote processor, a host computer, and "a host unit connected between the remote processor and the host computer." The cited portions of Lemon relate to a system having only a group of terminals and a host computer. Those devices are connected by a modem, but the Office Action does not allege that the modem corresponds to the remote processor, the host computer or the host unit. Instead, by alleging that the terminal T discloses the "host unit ..." claim elements, the Office Action is implicitly alleging that the "host unit" corresponds to terminal T. (Lemon, col. 26:28-37). Thus, one of the components expressly recited in claim 160 is missing from the Lemon reference. Either the host unit or the remote processor is not disclosed in Lemon as Lemon has been construed in the Office Action.

The anticipation rejection of claim 160 should be withdrawn for each of the above reasons.

5.   Claim 161

Dependent claim 161 recites:

> 161. The method of claim 160, wherein the host unit also automatically causes a reset operation whenever a connection between the remote processor and the host unit is terminated.

For claim 161, the Office Action states that "Claim 161 is substantially the same as claim 158." (Office Action, p. 9). This appears to be an incomplete rejection because it does not expressly identify where in Lemon each element of claim 161 is allegedly disclosed. To the extent that the elements of claim 161 correspond to an element of claim 158, I will assume that the Office Action is making the exact same rejection for claim 161, and respond to those arguments accordingly.

Implicitly, the Office Action alleges that Lemon, column 10, lines 28-60, discloses the subject matter of claim 161. But Lemon's column 10, lines 28-60, describes aspects of the operation of microcomputer 22 within terminal T. More specifically, this passage describes how and when the terminal dispenses coupons. This portion of Lemon does not relate to a host unit "automatically caus[ing] a reset operation whenever a connection between the remote processor and the host unit is terminated." The Lemon citation has nothing to do with causing a reset operation.

The anticipation rejection of claim 161 should be withdrawn for at least the above reason.

6.   Claim 162

Dependent claim 162 recites:

> 162. The method of claim 161, further including the steps of receiving communications from the remote processor at the host unit via a telephone carrier signal and wherein the host unit includes a carrier detect circuit and automatically causes the reset operation upon a determination made by the carrier detect circuit of the absence or presence of the carrier signal.

For claim 162, the Office Action states that "Claim 162 is substantially the same as claim 159." (Office Action, p. 9). This appears to be an incomplete rejection because it does not expressly identify where in Lemon each element of claim 162 is allegedly disclosed. To the extent that the elements of claim 162 correspond to an element of claim 159, I will assume that the Office Action is making the exact same rejection for claim 162, and respond to those arguments accordingly.

The Office Action alleges that Lemon, column 10, lines 28-60, discloses the subject matter of claim 162. But Lemon's column 10, lines 28-60, describes aspects of the operation of microcomputer 22 within terminal T. More specifically, this passage describes how and when the terminal dispenses coupons. This portion of Lemon does not relate to "receiving

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communications from the remote processor at the host unit via a telephone carrier signal and wherein the host unit includes a carrier detect circuit and automatically causes the reset operation upon a determination made by the carrier detect circuit of the absence or presence of the carrier signal." The Lemon citation has nothing to do with communications with a remote processor.

The anticipation rejection of claim 162 should be withdrawn for at least the above reason.

7.   Claims 241 and 242

Independent claim 241 recites:

> 241. A remote access PC to facilitate communications between a host computer and a remote computer distantly located relative to each other, comprising:
>
> a remote access process to establish a logical data path between the host computer and the remote computer;
>
> a control module having an AC power input to receive AC power from an external power source, an AC power output to deliver the AC power from the external power source to the host computer, a switch therebetween, and a control data input to receive a reboot signal and thereupon interrupt AC power to the host computer by operation of the switch;
>
> a communication circuit establishing a different logical data path between the remote computer and the communication circuit, the communication circuit delivering the reboot signal to the control module when commanded to do so by the remote computer via the different logical data path.

Dependent claim 242 recites:

> 242. A remote access PC according to claim 241, wherein the communication circuit is a modem.

Claim 241 recites at least three devices – a host computer, a remote computer distantly located relative to the host computer, and a remote access PC. The remote access PC facilitates communications between the host computer and the remote computer. The remote access PC includes a remote access process, a control module, and a communication circuit.

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The Office Action alleges that Lemon's column 26, lines 28-37, discloses the "remote access process ..." portion of the claimed remote access PC. Thus, according to the Office Action, the terminal T described in column 26, lines 28-37, corresponds to the "remote access PC." But Lemon's terminal T does not "facilitate communications between a host computer and a remote computer distantly located relative to each other." Assuming that Lemon's host computer corresponds to the claimed host computer, Lemon does not disclose another device that could correspond to the claimed "remote computer." Thus, the Lemon citations do not disclose "a remote access process to establish a logical data path between the host computer and the remote computer." Likewise, the Lemon citations doe not disclose "a communication circuit establishing a different logical data path between the remote computer and the communication circuit, the communication circuit delivering the reboot signal to the control module when commanded to do so by the remote computer via the different logical data path."

The Office Action alleges that Lemon's column 8, lines 54-55, and column 27, lines 55-56, disclose "a control module having an AC power input to receive AC power from an external power source, an AC power output to deliver the AC power from the external power source to the host computer, a switch therebetween, and a control data input to receive a reboot signal and thereupon interrupt AC power to the host computer by operation of the switch." The column 8 citation simply states that Lemon's terminal T has a power supply and that the power supply may include a keyed switch 64 to prevent people who do not have the key from energizing or de-energizing the terminal. The column 27 citation refers to "host to terminal" commands to reboot the terminal to update coupon data. Neither citation discloses a "control module" having "a control data input to receive a reboot signal and thereupon interrupt AC power to the host

computer by operation of the switch." Indeed, the Office Action not attempted to identify a specific circuit or device that allegedly corresponds to the "control module."

The "remote access PC" of claim 241 also includes "a communication circuit establishing a different logical data path between the remote computer and the communication circuit, the communication circuit delivering the reboot signal to the control module when commanded to do so by the remote computer via the different logical data path." Thus, "the reboot signal" is delivered by the "communication circuit" to "the control module when commanded to do so by the remote computer via the different logical data path." The Office Action alleges that Lemon's column 26, lines 28-37, and column 27, lines 55-56, disclose this element. The column 26 citation to Lemon states that the terminal T periodically initiates a call to the host H when the full capacity in non-volatile memory 56 allocated for coupon history data is exhausted. (Lemon, col. 26:28-32). The data that is sent to host H is coupon history information and coupon count data. (Lemon, col. 26:38-55). The column 27 citation refers to "host to terminal" commands to reboot the terminal to update coupon data. But because the Office Action equates the terminal T with the "remote access PC," the Lemon citations do not disclose a "remote computer" that is in communication with the "communication circuit" of the "remote access PC." In addition, the Office Action not attempted to identify a specific circuit that corresponds to the "communication circuit" or a circuit or device that allegedly corresponds to the "control module."

Dependent claim 242 is not anticipated by Lemon for at least the reasons provided above for claim 241.

The anticipation rejections of claims 241 and 242 should be withdrawn for each of the above reasons.

E.   Rejection of Claims 194-210 under 35 U.S.C. § 102(b) and 35 U.S.C. § 102(a) as being Anticipated by Edgard (US 5,248,964)

The Office Action cites Edgard, US 5,248,964, as allegedly anticipating claims 194-210 under 35 U.S.C. § 102(b) and 35 U.S.C. § 102(a). I find that the cited portions of Edgard do not disclose the elements of the rejected claims for at least the reasons provided below. Thus, I conclude that the rejections are incorrect.

1.   Claim 194

Independent claim 194 recites:

> 194. A computer monitoring system for monitoring the information displayed on a video display terminal connected to, and receiving display information from, a data processing device comprising:
>
> a microprocessor controlled computer hardware device working even if the data processing device is locked up and no longer processing data or input commands, wherein the microprocessor controlled computer hardware device includes a video raster signal input circuit for receiving a video raster signal representative of the information displayed on the video display terminal from the data processing device and a converter communicating with the video raster signal input circuit to convert the video raster signal into a digital signal representative of the information contained in the video raster signal.

Claim 194 recites a "data processing device" and a "microprocessor controlled computer hardware device." The "microprocessor controlled computer hardware device" works even if the "data processing device" is locked up and no longer processing data or input commands. The "microprocessor controlled computer hardware device" also includes a "video raster signal input circuit" for receiving the video raster signal representative of the information displayed on the video display terminal from the data processing device. The "microprocessor controlled computer hardware device" also includes "a converter communicating with the video raster

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signal input circuit to convert the video raster signal into a digital signal representative of the information contained in the video raster signal."

The Office Action alleges that Edgard's column 2, lines 43-64, discloses the subject matter of claim 194. But Edgard discloses a single computer with a more efficient operation for writing character to and reading characters from the video buffer when in graphics mode. (Edgard, col. 2, lines 26-30; Fig. 1). The cited section from Edgard describes aspects of how the computer writes information to, and reads information from the computer's video memory. The Edgard citation does not disclose two devices that could correspond to the "data processing device" and a "microprocessor controlled computer hardware device" of claim 194. The Edgard citation does not disclose "a microprocessor controlled computer hardware device working even if the data processing device is locked up and no longer processing data or input commands." The Edgard citation also does not disclose a "microprocessor controlled computer hardware device include[ing] a video raster signal input circuit for receiving a video raster signal representative of the information displayed on the video display terminal from the data processing device." Nor does the Edgard citation disclose "a converter communicating with the video raster signal input circuit to convert the video raster signal into a digital signal representative of the information contained in the video raster signal." The Edgard citation does not relate to reception and conversion of a video raster signal from a data processing device into a digital signal representative of the video raster signal. The Office Action fails to specifically identify what circuit in Edgard's system allegedly corresponds to the "microprocessor controlled computer hardware device." In fact, the cited portion of Edgard has very little, if any, relevance to the subject matter recited in claim 194.

The anticipation rejection of claim 194 should be withdrawn for each of the above

reasons.

2.　　Claim 195

Dependent claim 195 recites:

> 195. The system according to claim 194, wherein said converter comprises a character determiner for determining the identity of each character displayed on the video display terminal and for generating a digital code indicative of the identity of said each character displayed on the video display terminal, and
>
> wherein said character determiner comprises circuitry for generating a series of cyclic redundancy checks, wherein each said cyclic redundancy check is generated from the pixel information associated with each character location on the video display terminal.

The Office Action alleges that the subject matter of claim 195 is disclosed by Edgard's

column 10, lines 19-54. Edgard's column 10, lines 19-54, describes aspects of the read character

sequence depicted in Figures 7A, 7B, and 7C. Claim 195 further defines the "converter" that is

part of the "microprocessor controlled computer hardware device" recited in claim 194. As

explained above, the Office Action has not identified the "microprocessor controlled computer

hardware device" or the "converter" recited in claim 194. The citation to column 10, lines 19-

54, of Edgard do not remedy this omission. There is no part of the Edgard citation that discloses

"a microprocessor controlled computer hardware device working even if the data processing

device is locked up and no longer processing data or input commands, wherein the

microprocessor controlled computer hardware device includes a video raster signal input circuit

for receiving a video raster signal representative of the information displayed on the video

display terminal from the data processing device and a converter communicating with the video

raster signal input circuit to convert the video raster signal into a digital signal representative of

the information contained in the video raster signal." Yet, this is required by claim 195 due to its dependency on claim 194. By reciting "said converter," claim 195 is incorporating the claim 194 requirement that the "converter" be a part of the "microprocessor controlled computer hardware device."

The anticipation rejection of claim 195 should be withdrawn for each of the above reasons.

3.   Claim 196

Dependent claim 196 recites:

> 196. The system according to claim 195, further comprising a transmitter coupled to said converter for transmitting said digital code to a remote location.

The Office Action alleges that Edgard's column 4, lines 51-67, discloses the elements of claim 196. The Edgard citation, however, describes aspects of the signal flow within or relating to ASIC 50. But the Edgard citation does not describe "a transmitter coupled to said converter for transmitting said digital code to a remote location." The Edgard citation does not describe transmission of any data or code to a remote location. In fact, the Office Action does not specifically identify the alleged "transmitter" that is alleged to be coupled to the "converter."

Moreover, with respect to claim 195, the Office Action implicitly alleged that processor 10 corresponded to the "character determiner" that is included as part of the "converter" of claim 195. Yet, for claim 194, the Office Action implicitly alleged that the "microprocessor controlled computer hardware device," which includes the "converter," corresponded to DPRB 54 since the DPRB was the primary focus of the discussion in the Edgard passage cited with respect to claim 194. Thus, the Office Action has not clearly identified which portions of Edgard's system allegedly correspond to the elements recited in claims 194-196.

The anticipation rejection of claim 196 should be withdrawn for each of the above reasons.

4.   Claim 197

Dependent claim 197 recites:

> 197. The system according to claim 196, further comprising:
>
> a receiver at said remote location coupled to said transmitter for receiving said digital codes transmitted by said transmitter; and
>
> a remote video display coupled to said receiver for displaying said digital codes received from said receiver, said display showing an image sufficiently similar to that shown on the video display terminal to allow a user to determine the operational status of the data processing device.

The Office Action alleges that Edgard's column 4, lines 17-23, discloses the elements of claim 197. But column 4, lines 17-23, merely states that the video system 36 of Edgard's computer handles the storage and display control functions for information to be displayed on CRT 38. This portion of Edgard simply discloses the particular type of video system used in the Edgard computer. The cited portion of Edgard does not disclose the elements of claim 196 – namely, "a receiver at said remote location coupled to said transmitter for receiving said digital codes transmitted by said transmitter; and a remote video display coupled to said receiver for displaying said digital codes received from said receiver, said display showing an image sufficiently similar to that shown on the video display terminal to allow a user to determine the operational status of the data processing device." These elements are entirely missing from the Edgard citation.

The anticipation rejection of claim 197 should be withdrawn for each of the above reasons.

5.   Claim 198

Dependent claim 198 recites:

> 198. The system according to claim 195, wherein said digital codes are transmitted to a remote location in response to a command received from said remote location requesting that said digital codes be transmitted.

The Office Action cites Edgard's column 4, lines 63-67, as allegedly disclosing claim 195. But the Edgard citation simply states that ASIC 50 determines when processor 10 can access video RAM 52, when the RAM 52 is providing information to the display drive circuitry, and when the RAM 52 is being refreshed. The Edgard citation makes no mention of the "character determiner" of claim 195 that generates digital codes "wherein said digital codes are transmitted to a remote location in response to a command received from said remote location requesting that said digital codes be transmitted." The Edgard citation does not describe the reception of a command from a remote location requesting the transmission of the digital codes. Nor does the Edgard citation disclose the transmission of the digital codes to a remote location.

The anticipation rejection of claim 198 should be withdrawn for each of the above reasons.

6.   Claim 199

Dependent claim 199 recites:

> 199. The system according to claim 195, further comprising a network for interconnecting a plurality of said microprocessor controlled computer hardware devices with one another and for allowing a user at said remote location to selectively access any one of said microprocessor controlled computer hardware devices or its associated data processing device.

The Office Action cites Edgard's column 4, lines 17-23, as allegedly disclosing claim 199. But the Edgard citation simply states that ASIC 50 determines when processor 10 can

access video RAM 52, when the RAM 52 is providing information to the display drive circuitry, and when the RAM 52 is being refreshed. The Edgard citation does not disclose "a plurality of said microprocessor controlled computer hardware devices." Indeed, the Office Action never specifically identified the first such claimed device in the rejection of claim 194. The Edgard citation does not disclose "a network for interconnecting a "plurality of said microprocessor controlled computer hardware devices with one another." Nor does the Edgard citation disclose "a network … for allowing a user at said remote location to selectively access any one of said microprocessor controlled computer hardware devices or its associated data processing device." No "remote location" is disclosed. No "selective[] access [to] any one of said microprocessor controlled computer hardware devices" is disclosed. No "associated data processing device" is disclosed either.

The anticipation rejection of claim 199 should be withdrawn for each of the above reasons.

7.   Claim 200

Dependent claim 200 recites:

> 200. The system according to claim 195, further comprising:
>
> a memory connected with said converter for storing said digital codes
>   to retain an image of the information displayed on the video display
>   terminal; and
>
> a controller coupled to said memory and said converter for monitoring
>   changes to said image and for storing said digital codes
>   representative of said changes in said memory, whereby said
>   memory contains a series of image frames that can be used by an
>   operator to determine the cause of a system failure.

The Office Action alleges that Edgard's column 10, lines 19-54, discloses the subject matter of claim 200. Edgard's column 10, lines 19-54, describes aspects of the read character

sequence depicted in Figures 7A, 7B, and 7C. The Edgard citation does not disclose "a controller coupled to said memory and said converter for monitoring changes to said image and for storing said digital codes representative of said changes in said memory, whereby said memory contains a series of image frames that can be used by an operator to determine the cause of a system failure." The Office Action has not identified the "converter" initially recited in claim 194, and thus fails to identify "a memory connected with said converter for storing said digital codes to retain an image of the information displayed on the video display terminal." Nor does the Office Action identify "a controller coupled to said memory and said converter."

In addition, the Edgard citation does not disclose a memory that "contains a series of image frames that can be used by an operator to determine the cause of a system failure." The Edgard citation does not mention a system failure, nor an operator being able to determine the cause of a system failure. In fact, the Edgard citation does not disclose "memory [that] contains a series of image frames." As stated above, the Edgard citation discloses part of the process for reading characters from the memory. The concept of multiple image frames is not contemplated by the Edgard citation.

The anticipation rejection of claim 200 should be withdrawn for each of the above reasons.

8. Claim 201

Dependent claim 201 recites:

> 201. The system according to claim 195, further comprising:
>
> a trainer coupled to said character determiner for generating a predetermined character display and for storing said digital codes generated by said character determiner representative of each character on said predetermined display; and

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a comparator communicating with said trainer and said character determiner for comparing said digital codes generated for an unknown display on said video display terminal with said digital codes representative of each character on said predetermined display, whereby the identity of each character displayed on said unknown display can be determined.

The Office Action alleges that Edgard's column 10, lines 19-54, discloses the subject matter of claim 201. Edgard's column 10, lines 19-54, describes aspects of the read character sequence depicted in Figures 7A, 7B, and 7C. The Edgard citation does not disclose "a trainer coupled to said character determiner for generating a predetermined character display and for storing said digital codes generated by said character determiner representative of each character on said predetermined display; and a comparator communicating with said trainer and said character determiner for comparing said digital codes generated for an unknown display on said video display terminal with said digital codes representative of each character on said predetermined display, whereby the identity of each character displayed on said unknown display can be determined." The Edgard citation does not contemplate either a "trainer," nor a "comparator communicating with said trainer and said character determiner ...." These elements are simply missing from the Edgard citation.

The anticipation rejection of claim 201 should be withdrawn for each of the above reasons.

9.   Claim 202

Dependent claim 202 recites:

> 202. The system according to claim 195, further comprising a synchronization signal input circuit for receiving from the data processing device a horizontal synchronization signal, and a pixel clock generator connected with said synchronization signal input circuit and said converter for generating a pixel clock signal,

wherein said data processing device is a personal computer, and said
video raster signal input circuit comprises a circuit interconnected
between said personal computer and the video display terminal.

The Office Action cites Edgard's column 2, lines 43-64, as disclosing the elements of

claim 202. But the Edgard citation merely describes aspects of how the computer writes

information to, and reads information from the computer's video memory. The cited portion of

Edgard does not disclose any of the elements of claim 202 including a system "further

comprising a synchronization signal input circuit for receiving from the data processing device a

horizontal synchronization signal, and a pixel clock generator connected with said

synchronization signal input circuit and said converter for generating a pixel clock signal,

wherein said data processing device is a personal computer, and said video raster signal input

circuit comprises a circuit interconnected between said personal computer and the video display

terminal." The Edgard citation makes no mention of these elements.

The anticipation rejection of claim 202 should be withdrawn for each of the above

reasons.

10.   Claim 203

Dependent claim 203 recites:

> 203. The system according to claim 195, wherein the data processing
> device is a personal computer, wherein the video raster signal input
> circuit is coupled to said personal computer for receiving a video
> raster signal and a horizontal synchronization signal from said
> personal computer, and wherein the system further comprises:
>
> a video signal output circuit coupled to said video display terminal and
> said video signal input circuit for supplying said video raster signal
> and said horizontal synchronization signal to said video display
> terminal;
>
> a host site command input circuit located with said personal computer
> for receiving commands from a host site user to be processed by
> said personal computer;

a command output circuit coupled to said local command input circuit
and with a standard keyboard interface of said personal computer
for supplying commands to be processed by said personal computer
to said standard keyboard interface of said personal computer;

a transmitter coupled to said converter and said command output circuit
for transmitting said digital signal to a remote location and for
transmitting commands received from said remote location to said
command output circuit;

a remote command input circuit at said remote location coupled to said
transmitter for receiving commands to be transmitted to and
executed by said personal computer; and

a remote video display for receiving said digital signals representative
of the information contained in said video raster signal and for
displaying said signals to allow a user at said remote location to
view the information displayed on said video display terminal
coupled to said personal computer,

wherein the converter comprises a pixel clock generator for generating
a pixel clock signal;

whereby computer service personnel at the remote location can
determine the present operating status of the file server, determine
repair action to be taken if necessary, and initiate said repair action
by transmitting commands to be executed by said personal
computer to said personal computer.

Dependent claim 203 adds a whole host of elements to the system recited in dependent

claim 195, which itself adds elements to the system recited in independent claim 194. The

Office Action alleges that Edgard's column 10, lines 19-54, and column 2, lines 43-64, disclose

all aspects of claim 203. But the column 2 citation describes aspects of how the computer writes

information to, and reads information from the computer's video memory. The column 10

citation describes aspects of the read character sequence depicted in Figures 7A, 7B, and 7C.

Neither section, however, discloses the elements of claim 203 including a "video raster signal

input circuit is coupled to said personal computer for receiving a video raster signal and a

horizontal synchronization signal from said personal computer," "a video signal output circuit

coupled to said video display terminal and said video signal input circuit," "a host site command

input circuit," "a command output circuit coupled to said local command input circuit," "a

transmitter coupled to said converter and said command output circuit," "a remote command

input circuit at said remote location coupled to said transmitter," "wherein the converter

comprises a pixel clock generator," and "whereby computer service personnel at the remote

location can determine the present operating status of the file server, determine repair action to

be taken if necessary, and initiate said repair action by transmitting commands to be executed by

said personal computer to said personal computer." These elements and aspects of claim 203 are

not disclosed in the Edgard citation.

The anticipation rejection of claim 203 should be withdrawn for each of the above

reasons.

11.   Claim 204

Independent claim 204 recites:

> 204. A method of converting the information contained in a video
> raster signal generated by a data processing device and displayed on
> a video display terminal associated with the data processing device,
> into a digital representation of that information for monitoring the
> information, the method comprising:
>
> receiving the video raster signal; and
>
> converting the video raster signal into a digital signal representative of
> the information contained in the video raster signal independently
> from the data processing device.

The Office Action alleges that Edgard's column 2, lines 43-64, discloses the subject

matter of claim 204. But the Edgard citation merely describes aspects of how the computer

writes information to, and reads information from the computer's video memory. The cited

portion of Edgard does not disclose "converting the information contained in a video raster

signal generated by a data processing device and displayed on a video display terminal associated with the data processing device, into a digital representation of that information for monitoring the information."

Indeed, the Edgard citation does not disclose the use or manipulation of a "video raster signal." Edgard's column 2 citation describes the content of video memory, which is digital. Claim 204's reference to a video raster signal refers to the video signal output from a computer that would normally be used to drive a video monitor. The digital content of a video memory is converted by video driving circuitry into the signal used to actually display an image on a video monitor – *i.e.*, the video raster signal.

Edgard's column 2 citation does not disclose "converting the video raster signal into a digital signal representative of the information contained in the video raster signal independently from the data processing device." No such conversion is contemplated by the Edgard column 2 citation.

The anticipation rejection of claim 204 should be withdrawn for each of the above reasons.

12.   Claim 205

Dependent claim 205 recites:

> 205. The method according to claim 204, wherein said converting step
>   includes the steps of determining the identity of each character
>   displayed on the video display terminal and generating a digital
>   code indicative of the identity of said each character displayed on
>   the video display terminal, wherein said step of generating a digital
>   code comprises the step of generating a series of cyclic redundancy
>   checks from the pixel information associated with each character
>   location on the video display terminal.

The Office Action cites Edgard's column 10, lines 19-54, as allegedly disclosing the subject matter of claim 205. Edgard's column 10, lines 19-54, describes aspects of the read

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character sequence depicted in Figures 7A, 7B, and 7C. This portion of Edgard relates to how the information stored in video RAM 52 is read and what the information represents. The Edgard citation does not disclose a method in which the "converting step" recited in claim 204 includes "determining the identity of each character displayed on the video display terminal and generating a digital code indicative of the identity of said each character displayed on the video display terminal." Moreover, the Edgard citation does not disclose a method "wherein said step of generating a digital code comprises the step of generating a series of cyclic redundancy checks from the pixel information associated with each character location on the video display terminal."

The anticipation rejection of claim 205 should be withdrawn for each of the above reasons.

13.   Claim 206

Dependent claim 206 recites:

> 206. The method according to claim 205, further comprising the step of transmitting said digital codes to a remote location.

The Office Action cites Edgard's column 4, lines 51-67, as allegedly disclosing the claimed method "further comprising the step of transmitting said digital codes to a remote location." The Edgard citation describes aspects of the signal flow within or relating to ASIC 50. But the Edgard citation does not describe transmission of any data or code to a remote location.

The anticipation rejection of claim 206 should be withdrawn for each of the above reasons.

14.   Claim 207

Dependent claim 207 recites:

207. The method according to claim 206, further comprising the steps of:

receiving said digital codes transmitted to said remote location; and

displaying said digital codes received from said remote location to create an image sufficiently similar to that shown on the video display terminal to allow a user to determine the operational status of the data processing device.

The Office Action alleges that Edgard's column 4, lines 17-23, discloses claim 206. But column 4, lines 17-23, merely states that the video system 36 of Edgard's computer handles the storage and display control functions for information to be displayed on CRT 38. This portion of Edgard simply discloses the particular type of video system used in the Edgard computer. The cited portion of Edgard does not disclose a method including the steps of "receiving said digital codes transmitted to said remote location; and displaying said digital codes received from said remote location to create an image sufficiently similar to that shown on the video display terminal to allow a user to determine the operational status of the data processing device." No remote location is discussed in the Edgard citation. No system is disclosed that allows the creation of an image similar to that shown on the remote video display so that a user can determine the operational status of the data processing device. These concepts are not contemplated in the Edgard citation.

The anticipation rejection of claim 207 should be withdrawn for each of the above reasons.

15. Claim 208

Dependent claim 208 recites:

208. The method according to claim 205, wherein said step of transmitting said digital codes to said remote location is performed in response to a command received from said remote location requesting that said digital codes be transmitted.

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The Office Action asserts that the subject matter of claim 208 is disclosed in Edgard's column 4, lines 63-67. That portion of Edgard describes aspects of the signal flow within or relating to ASIC 50. The Edgard citation does not disclose a method including "transmitting said digital codes to said remote location is performed in response to a command received from said remote location requesting that said digital codes be transmitted." The Edgard citation does not relate to the transmission of codes to a remote location, or such transmission in response to a command received from a remote location.

The anticipation rejection of claim 208 should be withdrawn for each of the above reasons.

16.   Claim 209

Dependent claim 209 recites:

> 209. The method according to claim 205, further comprising the steps of:
>
> analyzing a predetermined character sequence displayed on the video display terminal to determine the identity of each character displayed on said video display terminal;
>
> generating a digital code representative of each character in said character sequence displayed on said video display terminal; and
>
> storing said digital codes in a memory, whereby future unknown screen displays can be compared with said digital codes to determine the identity of characters displayed on said future unknown screen displays.

The Office Action alleges that Edgard's column 10, lines 19-54, discloses the subject matter of claim 209. Edgard's column 10, lines 19-54, describes aspects of the read character sequence depicted in Figures 7A, 7B, and 7C. This portion of Edgard relates to how the information stored in video RAM 52 is read and what the information represents. The column 10 citation does not remedy the deficiencies identified with respect to the rejection of claims 205

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or 209. As explained above, this portion of Edgard does not disclose the subject matter of claims 205 or 209.

Moreover, the Edgard citation does not disclose a method including "storing said digital codes in a memory, whereby future unknown screen displays can be compared with said digital codes to determine the identity of characters displayed on said future unknown screen displays." The column 10 citation does not mention the concept of storing any codes so that future unknown screen displays can be compared to the codes to determine the identify of characters displayed on the future screen displays.

The anticipation rejection of claim 209 should be withdrawn for each of the above reasons.

17.   Claim 210

Dependent claim 210 recites:

> 210. The method according to claim 204, further comprising the steps of:
>
> receiving a horizontal synchronization signal from the data processing device; and
>
> generating a pixel clock signal in synchronization with said horizontal synchronization signal, wherein said data processing device is a personal computer, and said video raster signal in intercepted between said personal computer and the video display terminal.

The Office Action alleges that Edgard's column 2, lines 43-64, discloses the steps of claim 210. This Edgard citation describes aspects of how the computer writes information to, and reads information from the computer's video memory. The cited portion of Edgard does not disclose a method including "receiving a horizontal synchronization signal from the data processing device," or "generating a pixel clock signal in synchronization with said horizontal synchronization signal, wherein said data processing device is a personal computer, and said

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video raster signal in intercepted between said personal computer and the video display terminal." Neither synchronization signals nor pixel clock generation are disclosed or implied in Edgard at column 2, lines 43-64, relied upon in the Office Action. Nor is there a discussion related to the interception of a video raster signal between a personal computer and a video display terminal.

The anticipation rejection of claim 210 should be withdrawn for each of the above reasons.

F. **Rejection of Claims 123-125, 213-219, and 239 under 35 U.S.C. § 102(b) as being Anticipated by Gurley (US 5,036,315)**

The Office Action cites Gurley, US 5,036,315, as allegedly anticipating claims 123-125, 213-219, and 239 under 35 U.S.C. § 102(b). I find that the cited portions of Gurley do not disclose the elements of the rejected claims for at least the reasons provided below. Thus, I conclude that the rejections are incorrect.

1. **Claims 123-125**

Independent claim 123 recites:

123. A computer monitoring system comprising:

plural host computer sites, each host computer site having at least one host computer, the at least one host computer including a host processor, a host input device, and a host display device;

a remote processor situated at a remote site, the remote processor having a remote display device and a remote input device connected thereto;

a network linking the remote site and each of the plural host computer sites, the network facilitating a first connection between a first selected host computer at a first host computer site and the remote site, and during the first connection either:

(a) transmitting screen data from the host display device of the first selected host computer to the remote display device, and

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(b) transmitting input signals from the remote input device to the first selected host computer for controlling the first selected host computer;

an on-screen display process, execution of the on-screen display process at the remote site providing a pop-up screen on the remote display device, the pop-up comprising a menu identifying the host computers at the plural host computer sites, the pop-up screen at least overlaying the video appearing on the remote display device as a result of the first connection; whereupon operation of the remote input device in response to the menu of the pop-up screen causes the remote site to terminate the first connection and to establish a second connection between a second selected host computer and the remote site.

Dependent claim 124 recites:

124. The apparatus of claim 123, wherein the second selected host computer is situated at a second host computer site.

Dependent claim 125 recites:

125. The apparatus of claim 123, wherein at least one of the plural host computer sites comprises a network of host computers.

With respect to claim 123, the Office Action alleges that Gurley's column 22, lines 52-66, discloses "plural host computer sites, each host computer site having at least one host computer, the at least one host computer including a host processor, a host input device, and a host display device." But Gurley citation does not disclose the host computer 10 as having "a host input device" or a "host display device." The cited portion of Gurley merely states that the scheme for display of windowed graphic video information can be applied to multiple asynchronous computers on a single monitor. The Gurley citation does not state that host computer(s) 10 have an "input device" or a "display device."

The Office Action also alleges that column 21, lines 17-21, of Gurley discloses "an on-screen display process, execution of the on-screen display process at the remote site providing a pop-up screen on the remote display device, the pop-up comprising a menu identifying the host

computers at the plural host computer sites, the pop-up screen at least overlaying the video

appearing on the remote display device as a result of the first connection; whereupon operation

of the remote input device in response to the menu of the pop-up screen causes the remote site to

terminate the first connection and to establish a second connection between a second selected

host computer and the remote site." But the cited portion of Gurley does not disclose an "on-

screen display process" nor any of the claimed characteristics of the "on-screen display process."

the cited portion of Gurley states that the program running on SWMC 80 opens an "x-window"

server, and a window for display controller 30 is dedicated. There is no mention of the claimed

"on-screen display process."

The anticipation rejection of claims 123-125 should be withdrawn for each of the above

reasons.

2. Claim 213

Independent claim 213 recites:

> 213. A circuit module for a computer having in operation therein a
> remote access engine to communicate between a host server and a
> remote workstation, including:
>
> video buffer circuits to receive, respectively, red, green and blue analog
> video signals from the host server;
>
> sync polarity circuits to receive, respectively, horizontal and vertical
> sync signals from the host server;
>
> analog to digital converters communicating with the video buffer
> circuits to receive the red, green and blue analog video signals and
> convert them to digital video signals;
>
> a phase locked loop video dot clock circuit communicating with the
> sync polarity circuits and outputting a dot clock signal;
>
> a TTL converter receiving the digital video signals and converting them
> to a TTL format; and

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a video processing circuit, including a cpu and a programmable gate array, connected to the sync polarity circuits, the phase locked loop video dot clock circuit, and the TTL converter to automatically determine a graphics mode of the red, green and blue analog video signals.

The Office Action asserts that Gurley's column 13, lines 11-49, discloses "video buffer circuits to receive, respectively, red, green and blue analog video signals from the host server." This is an incorrect reading of this portion of Gurley. Gurley makes it clear that the display signal from host computer 10 is digital, and is not video. (Gurley, col. 4:50-57). It appears from the specification that RGB video signals 41, 43, 45 are generated in PIM 40 and sent to VIM 90 based on digital information received from host computer 10. (Gurley, col. 13:50-66). Thus, the Gurley citation does not disclose "video buffer circuits" that receive "red, green and blue analog video signals from the host server."

The Office Action also alleges that Gurley's column 16, lines 1-30, discloses "sync polarity circuits to receive, respectively, horizontal and vertical sync signals from the host server." But the references to sync signal 49 in this portion of Gurley refer to the sync signal that is generated in the VIM 90 based on the RGB video signals from SWMC 80 – not from host computer 10. (Gurley, col. 10:62-65). Sync signal 49 is routed to display controller 30 to ensure that the video signals generated from the display controller are synchronized to video signals 71, 73, 75 from PIM 70. (Gurley, col. 10, line 62-col. 11, line 9). Thus, the Gurley citation does not disclose "sync polarity circuits to receive, respectively, horizontal and vertical sync signals from the host server."

The Office Action alleges that Gurley's column 13, lines 11-49, discloses "analog to digital converters communicating with the video buffer circuits to receive the red, green and blue analog video signals and convert them to digital video signals." (Office Action, p. 16). But the cited portion of Gurley does not mention analog to digital converters, much less A/D converters

that communicate with video buffer circuit to convert the analog red, green and blue video signals to digital video signals. This claim element is simply not disclosed in the Gurley citation.

The Office Action alleges that Gurley's column 16, lines 1-30, discloses "a phase locked loop video dot clock circuit communicating with the sync polarity circuits and outputting a dot clock signal." Because the cited portion of Gurley does not disclose "the sync polarity circuits" recited in claim 213, column 16, lines 1-30, does not disclose the claimed "phase locked loop video dot clock circuit."

The Office Action alleges that Gurley's column 16, lines 1-30, discloses "a TTL converter receiving the digital video signals and converting them to a TTL format," and "a video processing circuit, including a cpu and a programmable gate array, connected to the sync polarity circuits, the phase locked loop video dot clock circuit, and the TTL converter to automatically determine a graphics mode of the red, green and blue analog video signals." Neither of these claim elements are disclosed in the cited portion of Gurley. Gurley's column 16, lines 1-30, does not mention a TTL converter at all. The Gurley citation also fails to mention a "video processing circuit" that includes a CPU and a programmable gate array connected to the sync polarity circuits, the phase locked loop video dot clock circuit, and the TTL converter. Moreover, the Gurley citation does not disclose any video processing circuit "to automatically determine a graphics mode of the red, green and blue analog video signals." These aspects of claim 213 are entirely missing from the cited portions of Gurley.

The anticipation rejection of claim 213 should be withdrawn for each of the above reasons.

3.   Claim 214

Dependent claim 214 recites:

214. A circuit module according to claim 213, wherein the programmable gate array includes circuitry to determine a video frame rate characteristic of the red, green and blue analog video signals.

Contrary to the Office Action, Gurley's column 16, lines 1-30, does not disclose the subject matter of claim 214. The cited portion of Gurley does not mention a "programmable gate array" much less such an array that "includes circuitry to determine a video frame rate characteristic of the red, green and blue analog video signals."

The anticipation rejection of claim 214 should be withdrawn for each of the above reasons.

4.   Claim 215

Dependent claim 215 recites:

215. A circuit module according to claim 213, wherein the graphics mode includes a number of available colors.

Contrary to the Office Action, Gurley's column 17, lines 19-48, does not disclose the subject matter of claim 215. The cited portion of Gurley does not mention a circuit that determines a graphics mode of RGB video signals. Moreover, the Gurley citation does not disclose a graphics mode that includes "a number of available colors."

The anticipation rejection of claim 215 should be withdrawn for each of the above reasons.

5.   Claim 216

Dependent claim 216 recites:

216. A circuit module according to claim 213, wherein the graphics mode includes a screen resolution in horizontal pixels per screen by vertical pixels per screen.

Contrary to the Office Action, Gurley's column 16, lines 1-30, does not disclose the subject matter of claim 216. The cited portion of Gurley does not mention a "graphics mode" that "includes a screen resolution in horizontal pixels per screen by vertical pixels per screen."

The anticipation rejection of claim 216 should be withdrawn for each of the above reasons.

6. Claim 217

Dependent claim 217 recites:

> 217. A circuit module according to claim 213, wherein the graphics mode includes a table characterizing a number of available colors versus a screen resolution in horizontal pixels per screen by vertical pixels per screen.

Contrary to the Office Action, Gurley's column 17, lines 19-48, does not disclose the subject matter of claim 217. The cited portion of Gurley does not mention a "graphics mode" that "includes a table characterizing a number of available colors versus a screen resolution in horizontal pixels per screen by vertical pixels per screen."

The anticipation rejection of claim 217 should be withdrawn for each of the above reasons.

7. Claim 218

Dependent claim 218 recites:

> 218. A circuit module according to claim 213, wherein the video processing circuit includes memory to store a set of predefined video graphics mode characteristics, and wherein the video processing circuit further divides the red, green and blue analog video signals into one or more video screen segment parts and compares the video screen segment parts to the stored predefined video graphics mode characteristics.

Contrary to the Office Action, Gurley's column 17, lines 19-48, does not disclose the subject matter of claim 218. The cited portion of Gurley does not mention a "video processing circuit" that "includes memory to store a set of predefined video graphics mode characteristics." The cited portion of Gurley describes aspects of VIM 90 of Figure 5 including the video switch that selects inputs for display on the monitor 100. The Gurley citation does not mention a memory that stores predefined video graphics mode characteristics.

Moreover, the Gurley citation does not disclose a "the video processing circuit" that "divides the red, green and blue analog video signals into one or more video screen segment parts and compares the video screen segment parts to the stored predefined video graphics mode characteristics." These aspects of claim 218 are not contemplated by the cited portion of Gurley.

The anticipation rejection of claim 218 should be withdrawn for each of the above reasons.

8.   Claim 219

Dependent claim 219 recites:

> 219. A circuit module according to claim 218, wherein the video processing circuit includes a video checksum manager for storing and managing checksums associated with each video screen segment part.

Contrary to the Office Action, Gurley's column 16, lines 31-63, does not disclose the subject matter of claim 219. The cited portion of Gurley describes aspects of the sync/window daughterboard 370, including that the sync signal 149 is used for the readout of data from the frame buffer 350 to circuit 360. The Gurley citation does not mention "a video checksum manager," nor a video checksum manager "for storing and managing checksums associated with each video screen segment part." These aspects of claim 219 are not disclosed in the Gurley citation.

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The anticipation rejection of claim 219 should be withdrawn for each of the above

reasons.

9.   Claim 239

Independent claim 239 recites:

> 239. A circuit for communicating RGB video information from a Host computer to a remote computer via a network link, comprising:
>
> video input circuitry to receive the RGB video information from the Host computer;
>
> video processing circuitry to digitize the RGB video information and to decode a video format of the RGB video information received by the video input circuitry; and
>
> a flash palette converter circuit, including:
>
> > an address mux receiving the digitized RGB video information as a stream of digital RGB pixel data;
> >
> > a flash palette converter RAM being addressed by the stream of digital RGB pixel data and outputting for each RGB pixel a palette index byte corresponding to a color value of said RGB pixel.

The Office Action alleges that Gurley's column 16, lines 31-63, discloses all elements of

claim 239. The cited portion of Gurley describes aspects of the sync/window daughterboard 370,

including that the sync signal 149 is used for the readout of data from the frame buffer 350 to

circuit 360. The cited portion of Gurley does not disclose several of the aspects of claim 239.

For example, Gurley does not disclose the communication of "RGB video information from a

Host computer to a remote computer via a network link." In Gurley, the video data from the host

computer is converted and sent to the VIM 90 for display on monitor 100. The host video data is

not sent to SWMC 80.

The Gurley citation does not disclose "video processing circuitry to digitize the RGB

video information and to decode a video format of the RGB video information received by the

video input circuitry." The video information from the host computer is already in a digital form when it is output by the host computer 10. (Gurley, col. 4:50-59; col. 10:36-40). Thus, there is no circuit in the Gurley citation that digitizes the host computer's video information. Moreover, the Gurley citation does not disclose any circuit that "decode[s] a video format of the RGB video information received by the video input circuitry."

The Gurley citation does not disclose "a flash palette converter circuit," much less a flash palette converter circuit including "an address mux receiving the digitized RGB video information as a stream of digital RGB pixel data" and "a flash palette converter RAM being addressed by the stream of digital RGB pixel data and outputting for each RGB pixel a palette index byte corresponding to a color value of said RGB pixel." The Gurley citation does not mention "an address mux" or a "flash palette converter RAM" for any purpose. Thus, these elements of claim 239 are not disclosed in the cited portion of Gurley.

The anticipation rejection of claim 239 should be withdrawn for each of the above reasons.

G.   **Rejection of Claim 193 under 35 U.S.C. § 102(b) as being Anticipated by Moore (US 5,287,461)**

The Office Action cites Moore, US 5,287,461, as allegedly anticipating claim 193 under 35 U.S.C. § 102(b). I find that the cited portions of Moore do not disclose the elements of the rejected claims for at least the reasons provided below. Thus, I conclude that the rejections are incorrect.

Independent claim 193 recites:

193. A system, comprising:

a hardware host unit coupled to a host computer different from the
hardware host unit; and

a remote computer software utility, located at a remote site computer, comprising:

a connection utility to establish a communication session with the host unit over a communication link; and

a pop up menu utility providing at least a user choice at the remote site computer to obtain access to the host computer via the connection utility.

The Office Action alleges that Moore's column 5, lines 11-34, discloses all elements of claim 193. But, at a minimum, the Moore citation does not disclose "a remote computer software utility, located at a remote site computer" including "a pop up menu utility providing at least a user choice at the remote site computer to obtain access to the host computer via the connection utility." Presumably, the Office Action alleges that the access server 100 corresponds to the "hardware host unit" and the remote access terminal 79 corresponds to the "remote site computer" recited in claim 193. The "serial port access program" referred to in the Moore citation is a program operating on access server 100. Thus, the "serial port access program" cannot correspond to the claimed "pop up menu utility," and thus, does not disclose the "remote computer software utility" recited in claim 193.

The anticipation rejection of claim 193 should be withdrawn for each of the above reasons.

H.   Rejection of Claims 140, 145-151, and 169-183 under 35 U.S.C. § 103(a) as being Obvious by Gurley (US 5,036,315) in view of Sheets (US 4,513,373)

The Office Action rejects claims 140, 145-151, and 169-183 under 35 U.S.C. § 103(a) as being unpatentable over Gurley (US 5,036,315) in view of Sheets (US 4,513,373). I find that the cited combination of Gurley in view of Sheets does not teach or suggest the elements of the rejected claims for at least the reasons provided below. Thus, I conclude that the rejections are incorrect.

1. The Office Action has not Identified Evidence Supporting Its Combination of Gurley and Sheets for Claims 140 and 145-151

The Office Action has not provided a proper explanation for why one skilled in the art would have combined Gurley and Sheets. The Office Action states that Gurley discloses a video synchronization technique on a network, and Sheets discloses a basic LAN setup. (Office Action, p. 18). The Office Action then concludes that it would have been obvious to combine the cited portions of Gurley and Sheets "because Gurley specifically stated that a networked computer system could be used in implementation." (Office Action, p. 18).

First, if Gurley were combined with Sheets' network 10 (which is the entire system shown in Sheets' Figure), it is unclear what portions of Gurley would remain since Sheets purports to disclose an entire, operable, and fully functional network that allegedly solves the stated problem of providing a local area network which can provide communication between a plurality of dissimilar terminals and can communicate with computer systems using incompatible formats. (Sheets, col. 1:34-38). Gurley, on the other hand, was attempting to solve a problem of displaying video information derived from multiple computers on windows of a single monitor. (Gurley, col. 3:66-co. 4:10). The Office Action has identified no evidence why one skilled in the art would have recognized a deficiency in Sheets or Gurley that would have prompted that person to combine the teachings of Sheets with Gurley (or vice versa). Even if both references disclose or suggest the use of a network, that fact would not explain why one would modify fully-functional systems that were designed for different purposes.

Moreover, the Office Action has not provided evidence of what portions of Gurley or Sheets the artisan would have retained as part of the combined system assuming (for the sake of argument) that the artisan would have been motivated to combine Gurley and Sheets. For example, Gurley's DSCC 20, DC 30, PIM 40, VIM 90, and PIM 81 are described as essential for

implementing the system described in Gurley. The Office Action does not provide any evidence of which, if any, of these system elements would have been deleted by the artisan when combining Gurley with Sheet. Sheets describes the "stations 14 and 16, terminals 18, 20, 22 and 24, port selector 12, protocol converters 30, 32, 34, 36, modem sharing device 38, modems 40, 44, front end communications controller 50, and computer 52 as being required elements of the Sheets system. The Office Action does not provide any evidence of which, if any, of these system elements would have been deleted by the artisan when combining Gurley with Sheet. Nor does the Office Action provide evidence that one skilled in the art would have known how to combine elements of Sheets with Gurley to result in an operative system. Without this evidence, I find that one skilled in the art at the time of the present inventions would not have been motivated to combine Sheets with Gurley, much less make the specific combination of references that the Office Action is apparently making in rejecting the claims.

Because Gurley cannot be properly combined with Sheets, as alleged in the Office Action, I find that the Office Action has failed to establish that claims 140 and 145-151 are obvious based on the Gurley/Sheets combination.

2. Claim 140

Dependent claim 140 recites:

> 140. The system of claim 136, wherein the computer processor
> includes a computer keyboard port and a computer video device
> port, the computer access interface including a dedicated link to the
> keyboard port for transmitting the keyboard signals to the computer
> processor and including another dedicated link to the video device
> port for receiving the analog video signals from the computer
> processor.

Claim 140 depends from independent claim 136. In rejecting claim 136, the Office Action appeared to allege that all elements of the claim were disclosed by Sheets' port selector

12 or the stations/terminals 14, 16, 18, 20, 22, and 24. (Office Action, pp. 2-3). Yet, in rejecting dependent claim 140, the Office Action alleges that "the computer processor" of claim 136 is disclosed by Gurley at column 9, lines 31-63. (Office Action, p. 18). These two assertions are inconsistent. Either the cited portions of Sheets disclose the "computer processor" of both claims, or the cited portions of Gurley disclose the "computer processor" of both claims.

Similarly, for claim 136, the Office Action alleged that the "computer access interface" corresponded to Sheets' ASCII terminals 22 and 24. (Office Action, pp. 2-3). But for claim 140, the Office Action alleges that the "computer access interface" is found in column 9, lines 31-63, of Gurley. (Office Action, p. 18). Once again, the Office Action is reading the references inconsistently. Either Gurley or Sheets discloses the "computer processor" and the "computer access interface." But the Office Action cannot allege that one reference discloses a claim element, but in the dependent claim allege that a second reference discloses that same claim element.

In addition, with respect to claim 140, the Office Action has not clearly indicated what part of Gurley described in column 9, lines 31-63, corresponds to the "computer processor" and "computer access interface" of dependent claim 140. (Office Action, p. 18). The cited portion of Gurley refers to several different components of the Gurley system including, for example, SWMC 80, mouse-keyboard-and/or-optional input devices 60, HC 10, optional-mouse-dials-function-keys-keyboard-data-tablet 50, DC 30, DSCC 20, control signals 31, 33, and monitor console 100. It is not possible to determine with any degree of certainty which of those elements allegedly correspond to the "computer processor" and "computer access interface" of dependent claim 140. Nevertheless, the Gurley citation does not teach or suggest "the computer processor"

and "the computer access interface" recited in claims 140 and 136. Thus, the Office Action has failed to identify substantial evidence supporting its rejection of claim 140.

As a result, even the cited "combination" of Gurley and Sheets fails to teach or suggest the subject matter of claim 140.

3. Claim 145

Dependent claim 145 recites:

> 145. The system of claim 136, wherein the computer access interface further receives computer mouse commands from the computer processor and transmits the mouse commands on the non-dedicated serial channel to the remote access facility.

Claim 145 depends from independent claim 136. For claim 136, the Office Action alleged that the "computer access interface" corresponded to Sheets' ASCII terminals 22 and 24. (Office Action, pp. 2-3). But for claim 145, the Office Action alleges that the "computer access interface" is found in column 9, lines 31-42, of Gurley. (Office Action, p. 18). The Office Action is reading the references inconsistently. Either Gurley or Sheets discloses the "computer access interface." But the Office Action cannot allege that one reference discloses a claim element, but in the dependent claim allege that a second reference discloses that same claim element.

In addition, with respect to claim 145, the Office Action has not clearly indicated what part of Gurley described in column 9, lines 31-42, corresponds to the "computer access interface" of dependent claim 145. (Office Action, p. 18). The cited portion of Gurley refers to several different components of the Gurley system including, for example, SWMC 80, mouse-keyboard-and/or-optional input devices 60, HC 10, optional-mouse-dials-function-keys-keyboard-data-tablet 50, DC 30, DSCC 20, and control signals 31, 33. It is not possible to determine with any degree of certainty which of those elements allegedly correspond to the

"computer access interface" of dependent claim 145. Nevertheless, the Gurley citation does not

teach or suggest "the computer access interface" recited in claims 145 and 136. Thus, the Office

Action has failed to identify substantial evidence supporting its rejection of claim 145.

As a result, even the cited "combination" of Gurley and Sheets fails to teach or suggest

the subject matter of claim 145.

4.   Claim 146

Dependent claim 146 recites:

> 146. The system of claim 136, wherein the computer access interface
> determines changes in the analog video signals and produces the
> digitized version of the analog video signals in accordance with the
> changes.

Claim 146 depends from independent claim 136. For claim 136, the Office Action

alleged that the "computer access interface" corresponded to Sheets' ASCII terminals 22 and 24.

(Office Action, pp. 2-3). But for claim 146, the Office Action alleges that the "computer access

interface" is found in column 22, lines 52-67, of Gurley. (Office Action, p. 18). The Office

Action is reading the references inconsistently. Either Gurley or Sheets discloses the "computer

access interface." But the Office Action cannot allege that one reference discloses a claim

element, but in the dependent claim allege that a second reference discloses that same claim

element.

In addition, with respect to claim 146, the cited portion of Gurley is not pertinent to the

subject matter recited in claim 146. The column 22 citation to Gurley simply states that the

preceding portions of Gurley disclosed a generalized system for interleaved windowed graphics

video information from asynchronous computers on a single monitor. The Gurley citation does

not teach or suggest any device that "determines changes in the analog video signals and

produces the digitized version of the analog video signals in accordance with the changes," much

less "the computer access interface" that "determines changes in the analog video signals and produces the digitized version of the analog video signals in accordance with the changes." Thus, the Office Action has failed to identify substantial evidence supporting its rejection of claim 146.

As a result, even the cited "combination" of Gurley and Sheets fails to teach or suggest the subject matter of claim 146.

5. Claim 147

Dependent claim 147 recites:

> 147. The system of claim 136, wherein the computer access interface analyzes characteristics of the analog video signals and produces the digitized version of the analog video signals in accordance with results of said analysis of the analog video signal characteristics.

Claim 147 depends from independent claim 136. For claim 136, the Office Action alleged that the "computer access interface" corresponded to Sheets' ASCII terminals 22 and 24. (Office Action, pp. 2-3). But for claim 147, the Office Action alleges that the "computer access interface" is found in column 17, lines 19-54, of Gurley. (Office Action, p. 19). The Office Action is reading the references inconsistently. Either Gurley or Sheets discloses the "computer access interface." But the Office Action cannot allege that one reference discloses a claim element, but in the dependent claim allege that a second reference discloses that same claim element.

In addition, with respect to claim 147, the cited portion of Gurley is not pertinent to the subject matter recited in claim 147. The Gurley citation describes the VIM 90 as a two-by-one, high speed video switch, and explains its components and their functions. The Gurley citation does not teach or suggest any device that "analyzes characteristics of the analog video signals and produces the digitized version of the analog video signals in accordance with results of said

analysis of the analog video signal characteristics," much less "the computer access interface" that "analyzes characteristics of the analog video signals and produces the digitized version of the analog video signals in accordance with results of said analysis of the analog video signal characteristics." Thus, the Office Action has failed to identify substantial evidence supporting its rejection of claim 147.

As a result, even the cited "combination" of Gurley and Sheets fails to teach or suggest the subject matter of claim 147.

6.   Claim 148

Dependent claim 148 recites:

> 148. The system of claim 147, wherein the analog video signals include RGB information including RGB components and wherein the computer access interface produces the digitized version of the analog video signals by applying a digitization process to each RGB component of the RGB information.

Claim 148 depends from dependent claim 147, which depends from independent claim 136. For claim 136, the Office Action alleged that the "computer access interface" corresponded to Sheets' ASCII terminals 22 and 24. (Office Action, pp. 2-3). But for claim 147, the Office Action alleges that the "computer access interface" is found in column 17, lines 19-54, of Gurley. (Office Action, p. 19). For claim 148, the Office Action alleges that the "analog video signals" analyzed by the "computer access interface" of claim 147 are disclosed in Gurley's column 17, lines 19-54. The Office Action is reading the references inconsistently. Either Gurley or Sheets discloses the "computer access interface." But the Office Action cannot allege that one reference discloses a claim element, but in the dependent claim allege that a second reference discloses that same claim element.

In addition, with respect to claim 148, the cited portion of Gurley is not pertinent to the subject matter recited in claim 148. The Gurley citation describes the VIM 90 as a two-by-one, high speed video switch, and explains its components and their functions. The Gurley citation does not teach or suggest any device that "produces the digitized version of the analog video signals by applying a digitization process to each RGB component of the RGB information," much less "the computer access interface" that "produces the digitized version of the analog video signals by applying a digitization process to each RGB component of the RGB information." Thus, the Office Action has failed to identify substantial evidence supporting its rejection of claim 148.

As a result, even the cited "combination" of Gurley and Sheets fails to teach or suggest the subject matter of claim 148.

7. Claim 149

Dependent claim 149 recites:

> 149. The system of claim 148, wherein the digitization process
> includes analyzing phase characteristics of each RGB component.

Claim 149 depends from dependent claim 148, which depends from dependent claim 147, which further depends from independent claim 136. For claim 136, the Office Action alleged that the "computer access interface" corresponded to Sheets' ASCII terminals 22 and 24. (Office Action, pp. 2-3). But for claim 147, the Office Action alleges that the "computer access interface" is found in column 17, lines 19-54, of Gurley. (Office Action, p. 19). For claim 148, the Office Action alleges that the "analog video signals" analyzed by the "computer access interface" of claim 147 are disclosed in Gurley's column 17, lines 19-54. For claim 149, the Office Action alleges that the "digitization process" is also disclosed in Gurley's column 17, lines 19-54. The Office Action is reading the references inconsistently. Either Gurley or Sheets

discloses the "computer access interface." But the Office Action cannot allege that one reference discloses a claim element, but in the dependent claim allege that a second reference discloses that same claim element.

In addition, with respect to claim 149, the cited portion of Gurley is not pertinent to the subject matter recited in claim 149. The Gurley citation describes the VIM 90 as a two-by-one, high speed video switch, and explains its components and their functions. The Gurley citation does not teach or suggest a "digitization process [that] includes analyzing phase characteristics of each RGB component." The VIM 90 does not analyze the video signals passing through it as required by claim 149. Thus, the Office Action has failed to identify substantial evidence supporting its rejection of claim 149.

As a result, even the cited "combination" of Gurley and Sheets fails to teach or suggest the subject matter of claim 149.

8. Claim 150

Dependent claim 150 recites:

> 150. The system of claim 148, wherein the digitization process includes analyzing amplitude characteristics of each RGB component.

Claim 150 depends from dependent claim 148, which depends from dependent claim 147, which further depends from independent claim 136. For claim 136, the Office Action alleged that the "computer access interface" corresponded to Sheets' ASCII terminals 22 and 24. (Office Action, pp. 2-3). But for claim 147, the Office Action alleges that the "computer access interface" is found in column 17, lines 19-54, of Gurley. (Office Action, p. 19). For claim 148, the Office Action alleges that the "analog video signals" analyzed by the "computer access interface" of claim 147 are disclosed in Gurley's column 17, lines 19-54. For claim 150, the

Office Action alleges that the "digitization process" is also disclosed in Gurley's column 17, lines 19-54. The Office Action is reading the references inconsistently. Either Gurley or Sheets discloses the "computer access interface." But the Office Action cannot allege that one reference discloses a claim element, but in the dependent claim allege that a second reference discloses that same claim element.

In addition, with respect to claim 150, the cited portion of Gurley is not pertinent to the subject matter recited in claim 150. The Gurley citation describes the VIM 90 as a two-by-one, high speed video switch, and explains its components and their functions. The Gurley citation does not teach or suggest a "digitization process [that] includes analyzing amplitude characteristics of each RGB component." The VIM 90 does not analyze the video signals passing through it as required by claim 150. Thus, the Office Action has failed to identify substantial evidence supporting its rejection of claim 150.

As a result, even the cited "combination" of Gurley and Sheets fails to teach or suggest the subject matter of claim 150.

9.   Claim 151

Dependent claim 151 recites:

> 151. The system of claim 136, wherein the computer access interface includes hardware defining at least a local video port and wherein the computer access interface supports a video pass-thru mode for continuously applying the video signal to the local video port of the computer access interface.

Claim 151 depends from independent claim 136. For claim 136, the Office Action alleged that the "computer access interface" corresponded to Sheets' ASCII terminals 22 and 24. (Office Action, pp. 2-3). But for claim 151, the Office Action alleges that the "computer access interface" is found in column 22, lines 52-67, of Gurley. (Office Action, p. 19). The Office

Action is reading the references inconsistently. Either Gurley or Sheets discloses the "computer access interface." But the Office Action cannot allege that one reference discloses a claim element, but in the dependent claim allege that a second reference discloses that same claim element.

In addition, with respect to claim 151, the cited portion of Gurley is not pertinent to the subject matter recited in claim 151. The column 22 citation to Gurley simply states that the preceding portions of Gurley disclosed a generalized system for interleaved windowed graphics video information from asynchronous computers on a single monitor. The Gurley citation does not teach or suggest a "computer access interface [that] includes hardware defining at least a local video port and wherein the computer access interface supports a video pass-thru mode for continuously applying the video signal to the local video port of the computer access interface." Thus, the Office Action has failed to identify substantial evidence supporting its rejection of claim 151.

As a result, even the cited "combination" of Gurley and Sheets fails to teach or suggest the subject matter of claim 151.

10. The Office Action has not Identified Evidence Supporting Its Combination of Gurley and Sheets for Claims 169-183

The Office Action has not provided a proper explanation for why one skilled in the art would have combined Gurley and Sheets for claims 169-183. The Office Action states that Gurley discloses a video synchronization technique on a network, and Sheets discloses a basic LAN setup. (Office Action, p. 19). The Office Action then concludes that it would have been obvious to combine the cited portions of Gurley and Sheets "because Gurley specifically stated that a networked computer system could be used in implementation." (Office Action, p. 19).

First, if Gurley were combined with Sheets' network 10 (which is the entire system shown in Sheets' Figure), it is unclear what portions of Gurley would remain since Sheets purports to disclose an entire, operable, and fully functional network that allegedly solves the stated problem of providing a local area network which can provide communication between a plurality of dissimilar terminals and can communicate with computer systems using incompatible formats. (Sheets, col. 1:34-38). Gurley, on the other hand, was attempting to solve a problem of displaying video information derived from multiple computers on windows of a single monitor. (Gurley, col. 3:66-co. 4:10). The Office Action has identified no evidence why one skilled in the art would have recognized a deficiency in Sheets or Gurley that would have prompted that person to combine the teachings of Sheets with Gurley (or vice versa). Even if both references disclose or suggest the use of a network, that fact would not explain why one would modify fully-functional systems that were designed for different purposes.

Moreover, the Office Action has not provided evidence of what portions of Gurley or Sheets the artisan would have retained as part of the combined system assuming (for the sake of argument) that the artisan would have been motivated to combine Gurley and Sheets. For example, Gurley's DSCC 20, DC 30, PIM 40, VIM 90, and PIM 81 are described as essential for implementing the system described in Gurley. The Office Action does not provide any evidence of which, if any, of these system elements would have been deleted by the artisan when combining Gurley with Sheet. Sheets describes the "stations 14 and 16, terminals 18, 20, 22 and 24, port selector 12, protocol converters 30, 32, 34, 36, modem sharing device 38, modems 40, 44, front end communications controller 50, and computer 52 as being required elements of the Sheets system. The Office Action does not provide any evidence of which, if any, of these system elements would have been deleted by the artisan when combining Gurley with Sheet.

Nor does the Office Action provide evidence that one skilled in the art would have known how to combine elements of Sheets with Gurley to result in an operative system. Without this evidence, I find that one skilled in the art at the time of the present inventions would not have been motivated to combine Sheets with Gurley, much less make the specific combination of references that the Office Action is apparently making in rejecting the claims.

Because Gurley cannot be properly combined with Sheets, as alleged in the Office Action, I find that the Office Action has failed to establish that claims 169-183 are obvious based on the Gurley/Sheets combination.

11. Claim 169

Independent claim 169 recites:

> 169. A system for controlling a target computer from a remote workstation of the type that includes a keyboard, a mouse, and a monitor, comprising:
>
> a host processor and associated video memory and keyboard/mouse buffers;
>
> a video digitizer coupled to the host processor that receives analog video signals from the target computer, samples the video signals, and stores the video signals in the video memory;
>
> a keyboard/mouse interface that receives keyboard and mouse signals from the remote workstation and stores them in the keyboard/mouse buffers; and
>
> the host processor operating a remote access and control program that transmits the contents of the video memory to the remote workstation and receives the contents of the keyboard/mouse buffers from the remote workstation, both over a communication link.

Dependent claim 173 recites:

> 173. The system of claim 169, wherein the communication link is a logical data path.

Dependent claim 174 recites:

174. The system of claim 169, wherein the communication link is a
network.

The Office Action states that claim 169 is rejected based on a combination of Gurley and

Sheets. (Office Action, p. 18). But in applying the references to claim 169, the Office Action

only cited to Gurley. No mention is made of Sheets and what application, if any, the Office

Action makes of Sheets. Thus, because only a single reference is used in the Office Action, I

assume that the claim is being rejected as being anticipated by Gurley.

Claim 169 recites a "system for controlling a target computer from a remote

workstation." But the Office Action has not identified what portions of Gurley correspond to the

"target computer" and what portions correspond to the "remote workstation." Thus, the Office

Action has not established that Gurley (or Sheets) discloses the system recited in claim 169.

The Office Action alleges that Gurley's column 9, lines 6-42, discloses the "host

processor and associated video memory and keyboard/mouse buffers." Although the Office

Action does not expressly identify the specific portion of Gurley that corresponds to the "host

processor," the cited portion of Gurley generally relates to the SWMC 80 and its peripherals.

The Office Action alleges that Gurley's column 17, lines 19-54, discloses the "video

digitizer coupled to the host processor that receives analog video signals from the target

computer, samples the video signals, and stores the video signals in the video memory." (Office

Action, p. 20). The cited portion of Gurley describes the VIM 90 shown in Figure 5. The

Gurley citation describes the VIM 90 as a real-time, two-by-one, high speed video switch, and

explains its components and their functions. There is no "video digitizer" or "video memory"

disclosed in the cited portion of Gurley, much less a "video digitizer coupled to the host

processor that receives analog video signals from the target computer, samples the video signals,

and stores the video signals in the video memory."

The Office Action alleges that Gurley's column 20, lines 29-42, discloses "a keyboard/mouse interface that receives keyboard and mouse signals from the remote workstation and stores them in the keyboard/mouse buffers." (Office Action, p. 20). The cited portion of Gurley relates to the software running in the DC 30. The Gurley citation states that the microprocessor in DC 30 receives data from the mouse and keyboard devices 60 from SWMC 80. Since claim 169 requires the keyboard and mouse signals to be received from the remote workstation, the Office Action implies that SWMC 80 corresponds to the remote workstation. That implies that host computer 10 corresponds to the target computer of claim 169.

The Office Action alleges that Gurley's column 9, lines 43-67, discloses "the host processor operating a remote access and control program that transmits the contents of the video memory to the remote workstation and receives the contents of the keyboard/mouse buffers from the remote workstation, both over a communication link." The cited portion of Gurley generally describes allowing data from the keyboard and mouse devices associated with SWMC 80 to be sent to host computer 10. This data is transmitted according to an application program operating on SWMC 80.

The SWMC 80 cannot correspond to the "host processor" because SWMC 80 does not "transmit the contents of the video memory to the remote workstation." According to the Office Action, SWMC 80 is the "remote workstation." (See discussion of preceding claim element.). Thus, under the examiner's view of the art, SWMC 80 transmits the contents of the video memory to itself. This is an incorrect reading of the claims. Moreover, the cited portion of Gurley does not describe the SWMC transmitting the contents of video memory to itself. Additionally, the video data stored by the "video digitizer" into the video memory, and then transmitted by host processor, must be video data generated from analog video signals "from the

target computer," i.e., the host computer 10. But, as explained above, there is no "video digitizer" in the cited portions of Gurley.

Similarly, the cited portion of Gurley does not disclose a host processor that "receives the contents of the keyboard/mouse buffers from the remote workstation, both over a communication link." Again, under the examiner's view of the references, the SWMC 80 is the "remote workstation." Thus, by citing a portion of Gurley describing the operation of the SWMC 80, the Office Action is asserting that SWMC 80 "receives the contents of the keyboard/mouse buffers from the remote workstation," i.e., the SWMC 80 receives the data from itself. This is an incorrect reading of the claims. Moreover, the cited portion of Gurley does not describe SWMC 80 receiving the contents of keyboard/mouse buffers from itself.

The rejection of claim 169 is incorrect. Claim 169 is patentable over the cited reference for at least the reasons provided above. Dependent claims 173 and 174 are patentable over the cited reference for at least the reasons provided above for claim 169.

12. Claim 170

Dependent claim 170 recites:

> 170. The system of claim 169, wherein the contents of the keyboard/mouse buffers are forwarded to a keyboard and mouse input on the target computer.

The Office Action cites Gurley's column 12, lines 29-43, as disclosing the subject matter of claim 170. The Gurley citation describes aspects of the display controller 30. This citation states that a microprocessor in the display controller received the data developed by the mouse, keyboard (and other) devices 60 that is transferred from SWMC 80. But the Gurley citation does not describe the transmission of keyboard/mouse buffers to host computer 10 – i.e., the alleged "target computer."

The rejection of claim 170 is incorrect. Claim 170 is patentable over the cited reference for at least the reasons provided above.

13. Claim 172

Dependent claim 172 recites:

> 172. The system of claim 169, wherein the communication link is a telephone line.

The Office Action asserts that Gurley's column 10, lines 19-45, discloses the subject matter of claim 172. But the cited portion of Gurley does not disclose a "communication link" between the "host processor" and the "remote workstation" being "a telephone line." The Gurley citation refers to "host channel parallel interface cables 11" and "communications link cable(s) 21." But a "telephone line" is not mentioned. Moreover, there is no evidence that a telephone line would satisfy the requirements of the Gurley system. By referring to specific types of parallel and communication cables, Gurley implies that a simple telephone line would not satisfy Gurley's system requirements.

The rejection of claim 172 is incorrect. Claim 172 is patentable over the cited reference for at least the reasons provided above.

14. Claim 175

Dependent claim 175 recites:

> 175. The system of claim 169, wherein the video digitizer includes a phase lock loop that produces a clocking signal having a frequency substantially equal to the time at which pixel values are transmitted in the video signal and a gating counter that passes the clocking signal to an analog to digital converter that samples the video signal during an active video portion of the video signal.

The Office Action cites Gurley's column 16, lines 1-30, as disclosing the subject matter of claim 175. Column 16, lines 1-30, describes aspects of the display controller 30. But for

claim 169, the Office Action alleged that the "video digitizer" corresponded to VIM 90. Thus, for claim 175, the Office Action inconsistently alleges that the same "video digitizer" corresponds to portions of the display controller 30. The "video digitizer" cannot correspond to one device for claim 169, and a second, different device, for claim 175.

The rejection of claim 175 is incorrect. Claim 175 is patentable over the cited reference for at least the reasons provided above.

15.   Claim 176

Dependent claim 176 recites:

> 176. The system of claim 169, wherein the video digitizer alternatively
> samples a single color video signal in a frame of video data and
> stores the samples in the video memory.

The Office Action alleges that Gurley's column 13, lines 40-66, discloses the subject matter of claim 176. With respect to claim 169, the Office Action alleged that the VIM 90 corresponded to the "video digitizer." But with claim 176, the Office Action cites a portion of Gurley that generally relates to communication with SWMC 80 and DC 30. Although the VIM is mentioned in the citation, there is no substantial discussion of the VIM apart from the VIM receiving video signals. The current Gurley citation does not disclose a circuit that digitizes video signals, and thus, no "video digitizer" is disclosed in the column 13 citation. Moreover, the Gurley citation does not disclose any circuit (much less a "video digitizer") that "alternatively samples a single color video signal in a frame of video data and stores the samples in the video memory." Thus, the cited portion of Gurley does not disclose the subject matter of claim 176.

The rejection of claim 176 is incorrect. Claim 176 is patentable over the cited reference for at least the reasons provided above.

16. Claim 177

Independent claim 177 recites:

> 177. A video digitizer for receiving analog video signals at a plurality of resolutions and for storing the video signals in a video memory of a host computer comprising:
>
> a synchronize detect circuit that detects vertical and horizontal synchronize signals from an analog video signal;
>
> a microprocessor that determines a clocking rate at which the analog video signal should be sampled from the timing of the vertical and horizontal synchronize signals;
>
> a clock signal generator that produces a clock signal at the clocking rate;
>
> an analog to digital converter that is controlled by the clock signal to sample the analog video signal, and
>
> a bus interface circuit that writes the samples of the analog video signal into the video memory of the host computer.

Claim 177 recites a "video digitizer" for receiving analog video signals at multiple resolutions, and for storing video signals in a video memory of a host computer. The Office Action alleges that Gurley's column 14, lines 39-51, discloses "a synchronize detect circuit that detects vertical and horizontal synchronize signals from an analog video signal." (Office Action, p. 21). The cited portion of Gurley relates to the display controller 30, and to the sync/window daughter board 370 in the display controller. The details of the sync/window daughter card are show in detail in Figure 4. Neither Figure 4, nor the cited portion of Gurley, discloses a "video digitizer" that includes a "synchronize detect circuit that detects vertical and horizontal synchronize signals from an analog video signal."

The Office Action also alleges that Gurley's column 16, lines 1-30, discloses "a microprocessor that determines a clocking rate at which the analog video signal should be sampled from the timing of the vertical and horizontal synchronize signals." The cited portion of

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Gurley describes a pixel clock that controls the timing and rate at which data is read from a frame buffer. The Gurley citation does not disclose a microprocessor that determines a clocking rate at which an analog video signal should be sampled as part of a video digitizer.

Gurley's column 16, lines 1-30, is also relied upon as allegedly disclosing "an analog to digital converter that is controlled by the clock signal to sample the analog video signal" and "a bus interface circuit that writes the samples of the analog video signal into the video memory of the host computer." But the cited portion of Gurley does not disclose either of these claim elements. No analog-to-digital converter is disclosed. Moreover, the cited portion does not disclose a "bus interface circuit that writes the samples of the analog video signal into the video memory of the host computer." The cited portion of Gurley describes aspects of the sync/window daughterboard 370 in the display controller 30. This daughtercard is not part of the host computer. Moreover, the output of the daughtercard is not delivered or transmitted to the host computer 10. Instead, the video signals from the display controller are sent to the VIM 90, and then, when appropriate, on to the monitor 100. Thus, the cited portion of Gurley does not disclose the subject matter of claim 177.

The rejection of claim 177 is incorrect. Claim 177 is patentable over the cited reference for at least the reasons provided above.

17. Claim 178

Dependent claim 178 recites:

> 178. The video digitizer of claim 177, wherein the clock signal generator comprises:
>
> a phase lock loop circuit that compares the phase of the horizontal synchronize signal with the phase of a divided clocking signal;
>
> a variable oscillator that produces the clocking signal that controls the analog to digital converter, wherein the clocking signal has a

frequency that is dependent on the difference in phase between the
horizontal synchronize signal and the divided clocking signal; and

a programmable divider that receives the clocking signal produced by
the variable oscillator and produces the divided clocking signal that
is fed to the phase lock loop circuit.

The Office Action alleges that column 16, lines 1-30, of Gurley discloses all elements of

dependent claim 178. The cited portion of Gurley describes aspects of the sync/window

daughtercard in display controller 30. But the cited portion of Gurley does not even mention a

"phase lock loop circuit," a "variable oscillator," an "analog to digital converter," or a

"programmable divider." Other aspects of Gurley state that the daughtercard includes a phase

lock loop, but there is no disclosure that the phase lock loop "compares the phase of the

horizontal synchronize signal with the phase of a divided clocking signal." Moreover, none of

the other claimed limitations of the "variable oscillator," the "analog to digital converter," or the

"programmable divider" are disclosed in the cited portion of Gurley. Thus, the cited portion of

Gurley does not disclose the subject matter of claim 178.

The rejection of claim 178 is incorrect. Claim 178 is patentable over the cited reference

for at least the reasons provided above.

18.   Claim 179

Dependent claim 179 recites:

179. The video digitizer of claim 178, further comprising a gating
circuit that receives the clocking signal and passes the clocking
signal to the analog to digital converter during an active video
portion of the analog video portion of the analog video signal.

The Office Action alleges that column 16, lines 1-30, of Gurley discloses all elements of

dependent claim 179. The cited portion of Gurley describes aspects of the sync/window

daughtercard in display controller 30. But the cited portion of Gurley does not mention a video

digitizer including "a gating circuit that receives the clocking signal and passes the clocking signal to the analog to digital converter during an active video portion of the analog video portion of the analog video signal." No "gating circuit" or "analog to digital converter" are mentioned in the Gurley citation. Moreover, there is no discussion of passing a clocking signal to an analog to digital converter "during an active video portion of the analog video portion of the analog video signal." These aspects of claim 179 are simply not taught or suggested by the cited portion of Gurley. Thus, the cited portion of Gurley does not disclose the subject matter of claim 179.

The rejection of claim 179 is incorrect. Claim 179 is patentable over the cited reference for at least the reasons provided above.

19. Claim 180

Dependent claim 180 recites:

> 180. The video digitizer of claim 178, further comprising a phase adjust circuit that adjusts the phase of the clocking signal.

The Office Action alleges that column 16, lines 1-30, of Gurley discloses all elements of dependent claim 180. The cited portion of Gurley describes aspects of the sync/window daughtercard in display controller 30. But the cited portion of Gurley does not even mention a video digitizer including "a phase adjust circuit that adjusts the phase of the clocking signal." The cited portion of Gurley does not teach or suggest a "phase adjust circuit" for a clocking signal. Thus, the cited portion of Gurley does not disclose the subject matter of claim 180.

The rejection of claim 180 is incorrect. Claim 180 is patentable over the cited reference for at least the reasons provided above.

20.   Claim 181

Dependent claim 181 recites:

> 181. The video digitizer of claim 177, further comprising a selection circuit that alternatively selects a red, green, and blue component on the analog video signal to be sampled by the analog to digital converter.

The Office Action alleges that column 16, lines 1-30, of Gurley discloses all elements of dependent claim 181. The cited portion of Gurley describes aspects of the sync/window daughtercard in display controller 30. But the cited portion of Gurley does not mention a video digitizer including "a selection circuit that alternatively selects a red, green, and blue component on the analog video signal to be sampled by the analog to digital converter." No "selection circuit" or an "analog to digital converter" are taught or suggested in the cited portion of Gurley. Thus, the cited portion of Gurley does not disclose the subject matter of claim 181.

The rejection of claim 181 is incorrect. Claim 181 is patentable over the cited reference for at least the reasons provided above.

21.   Claim 182

Dependent claim 182 recites:

> 182. The video digitizer of claim 177, wherein the analog to digital converter includes separate analog to digital converters to sample the red, green, and blue components of the analog video signal.

The Office Action alleges that column 16, lines 1-30, of Gurley discloses all elements of dependent claim 182. The cited portion of Gurley describes aspects of the sync/window daughtercard in display controller 30. But the cited portion of Gurley does not even mention a video digitizer in which an "analog to digital converter includes separate analog to digital converters to sample the red, green, and blue components of the analog video signal." The cited portion of Gurley does not teach or suggest an "analog to digital converter," much less the

specific analog to digital converter recited in claim 182. Thus, the cited portion of Gurley does not disclose the subject matter of claim 182.

The rejection of claim 182 is incorrect. Claim 182 is patentable over the cited reference for at least the reasons provided above.

22.   Claim 183

Dependent claim 183 recites:

> 183. The video digitizer of claim 177, wherein the host computer operates a remote access and control program that transmits the contents of the video memory to a remote computer system.

The Office Action alleges that column 16, lines 1-30, of Gurley discloses all elements of dependent claim 183. The cited portion of Gurley describes aspects of the sync/window daughtercard in display controller 30. But the cited portion of Gurley does not even mention a video digitizer or a "host computer [that] operates a remote access and control program that transmits the contents of the video memory to a remote computer system." No "host computer" or "remote access and control program" are taught or suggested in the cited portion of Gurley. Indeed, in Gurley, video information from the host computer is not sent to "a remote computer system." Instead, at least some of the video information from host computer 10 is delivered to VIM 10 and displayed on monitor 100. The video information from host computer 10 is not delivered to SWMC 80. Thus, the cited portion of Gurley does not disclose the subject matter of claim 183.

The rejection of claim 183 is incorrect. Claim 183 is patentable over the cited reference for at least the reasons provided above.

I.   **Rejection of Claims 126-128, and 152-153 under 35 U.S.C. § 103(a) as being rendered Obvious by Gurley (US 5,036,315) in view of Lemon (US 4,674,041)**

The Office Action rejects claims 126-128, and 152-153 under 35 U.S.C. § 103(a) as being unpatentable over Gurley (US 5,036,315) in view of Lemon (US 4,674,041). I find that the cited combination of Gurley in view of Lemon does not teach or suggest the elements of the rejected claims for at least the reasons provided below. Thus, I conclude that the rejections are incorrect.

     1.   **The Office Action has not Identified Evidence Supporting Its Combination of Gurley and Lemon**

The Office Action has not provided a proper explanation for why one skilled in the art would have combined Gurley and Lemon. The Office Action states that Gurley discloses a video synchronization system between host computers.[2] (Office Action, p. 22). The Office Action also alleges that Lemon discloses a remote rebooting system for networked computers. (Office Action, p. 22). The Office Action then concludes that it would have been obvious to combine the cited portions of Gurley and Lemon "in order to allow for remote control of a locked computer system." (Office Action, p. 22).

First, if Gurley were combined with Lemon's system (which is the entire system shown in Lemon's Figure 2), it is unclear what system would result from that combination. Gurley is directed to the problem of displaying video information derived from multiple computers on windows of a single monitor. (Gurley, col. 3:66-co. 4:10). Lemon is directed to an improved system for distributing coupons for retail sales of merchandise. (Lemon, col. 1:7-12). Lemon discloses a single computer (host unit H) communicating through modems to terminals T that

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     [2] Although for other claims, the Office Action has previously alleged that the video synchronization occurs between a host computer (i.e., host computer 10) and a remote computer (i.e., SWMC 80).

print the coupons. Although the terminals are electronic devices, the terminals are not computers and are not described as computers in Lemon. The terminals are just that – terminals that, in certain instances, send data to, and receive commands from, the host computer and print coupons accordingly. The Office Action has identified no evidence why one skilled in the art would have recognized a deficiency in Lemon or Gurley that would have prompted that person to combine the teachings of Lemon with Gurley (or vice versa). Even if both references disclose or suggest the use of computers, that fact would not explain why one would modify fully-functional systems that were designed for different purposes.

Moreover, the Office Action has not provided evidence of what portions of Gurley or Lemon the artisan would have retained as part of the combined system assuming (for the sake of argument) that the artisan would have been motivated to combine Gurley and Lemon. For example, Gurley's DSCC 20, DC 30, PIM 40, VIM 90, and PIM 81 are described as essential for implementing the system described in Gurley. The Office Action does not provide any evidence of which, if any, of these system elements would have been deleted by the artisan when combining Gurley with Lemon. Lemon describes the host computer H, modem M, and terminals T1-Tn as being required elements of the Lemon system. The Office Action does not provide any evidence of which, if any, of these system elements would have been deleted by the artisan when combining Gurley with Lemon. Nor does the Office Action provide evidence that one skilled in the art would have known how to combine elements of Lemon with Gurley to result in an operative system. Without this evidence, I find that one skilled in the art at the time of the present inventions would not have been motivated to combine Lemon with Gurley, much less make the specific combination of references that the Office Action is apparently making in rejecting the claims.

Because Gurley cannot be properly combined with Lemon, as alleged in the Office Action, I find that the Office Action has failed to establish that claims 126-128, and 152-153 are obvious based on the Gurley/Lemon combination.

2.   Claim 126

Dependent claim 126 recites:

> 126. The apparatus of claim 125, wherein at least one of the plural host computer sites comprises a daisy chained configuration of host computers.

The Office Action makes no allegation as to whether the subject matter of claim 126 is taught or suggested by Gurley or by Lemon. The Office Action states that "Gurley failed to disclose a remote reboot system for a series of daisy chained computers. However, Lemon disclosed a remote rebooting system for networked computers." (Office Action, p. 22). But claim 126 does not claim a "remote reboot system." Thus, the mention in Lemon of sending reboot commands to the terminals to update coupon data is not relevant to whether claim 126 is patentable over Gurley and Lemon.

Moreover, Lemon does not teach or suggest "at least one of the plural host computer sites comprises a daisy chained configuration of host computers," as recited in claim 126. The Office Action has not specified what part of Lemon corresponds to the alleged "plural host computer site" of claim 126, much less a computer site having "a daisy chained configuration of host computers." Lemon's figure 2 does not disclose a "daisy chained configuration" of terminals, much less host computers. Thus, the cited combination of Gurley and Lemon does not teach or suggest the subject matter of claim 126.

The rejection of claim 126 is incorrect. Claim 126 is patentable over the cited references for at least the reasons provided above.

3.   Claim 127

Dependent claim 127 recites:

> 127. The apparatus of claim 125, wherein at least one of the plural host computer sites comprises a daisy chained configuration of host computers, the daisy chain configuration including a host unit associated with each of the host computers, wherein for each of the host computers the host unit is connected between the host computer and a source of power for the host computer, and wherein upon receipt of the cold boot command from the remote site the host unit temporarily interrupts power to the host processor of the host computer.

The Office Action makes no allegation as to whether the subject matter of claim 127 is taught or suggested by Gurley or by Lemon. The Office Action states that "Gurley failed to disclose a remote reboot system for a series of daisy chained computers. However, Lemon disclosed a remote rebooting system for networked computers." (Office Action, p. 22). But claim 127 recites subject matter beyond the concept of a "remote rebooting system for networked computers." For example, the Office Action does not allege that Gurley or Lemon teach or suggest "the plural host computer sites compris[ing] a daisy chained configuration of host computers, the daisy chain configuration including a host unit associated with each of the host computers, wherein for each of the host computers the host unit is connected between the host computer and a source of power for the host computer." Moreover, Lemon does not teach or suggest a system in which "upon receipt of the cold boot command from the remote site the host unit temporarily interrupts power to the host processor of the host computer." In the cited portion of Lemon, all that is disclosed is that the terminal T receives a reboot command, and apparently reboots itself. There is no teaching or suggestion that Lemon's terminals are rebooted in the manner recited in claim 127 – i.e., when a cold boot command is received from the remote site, "the host unit temporarily interrupts power to the host processor of the host computer."

Thus, the cited combination of Gurley and Lemon does not teach or suggest the subject matter of claim 127.

The rejection of claim 127 is incorrect. Claim 127 is patentable over the cited references for at least the reasons provided above.

4.   Claim 128

Dependent claim 128 recites:

> 128. The apparatus of claim 125, wherein at least one of the plural host computer sites comprises a daisy chained configuration of host computers, the daisy chain configuration including a host unit associated with each of the host computers, wherein for at least one of the host computers the host unit is connected between the host processor and at least one of the host input device and the host display device of the at least one of the host computers.

The Office Action makes no allegation as to whether the subject matter of claim 128 is taught or suggested by Gurley or by Lemon. The Office Action states that "Gurley failed to disclose a remote reboot system for a series of daisy chained computers. However, Lemon disclosed a remote rebooting system for networked computers." (Office Action, p. 22). But claim 128 does not recite a "remote reboot system." Thus, the mention in Lemon of sending reboot commands to the terminals to update coupon data is not relevant to whether claim 126 is patentable over Gurley and Lemon.

Moreover, claim 128 does not teach or suggest a system as recited in claim 125 "wherein at least one of the plural host computer sites comprises a daisy chained configuration of host computers, the daisy chain configuration including a host unit associated with each of the host computers." Lemon does not describe host computers in a daisy chained configuration. Nor does it describe a daisy chain configuration of host computer "including a host unit associated with each of the host computers." The subject matter of claim 128 is not described or suggested

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by Lemon and the Office Action makes no allegation otherwise. Thus, the cited combination of Gurley and Lemon does not teach or suggest the subject matter of claim 128.

The rejection of claim 128 is incorrect. Claim 128 is patentable over the cited references for at least the reasons provided above.

5. Claim 152

Dependent claim 152 recites:

> 152. The system of claim 136, wherein the computer processor receives AC power and the computer access interface receives a request to break the AC power and then coordinates a break in the AC power to the computer processor.

The Office Action rejects claim 152 as being obvious based on the combination of Gurley in view of Lemon. (Office Action, p. 22). But claim 152 depends from independent claim 136. Claim 136 was rejected because it was allegedly anticipated by Sheets. (Office Action, p. 2). Because the rejection of claim 152 does not mention how or if Sheets applies to that rejection, it appears that the obviousness rejection of claim 152 is improper. For example, the Office Action does not provide evidence of how (or if) one skilled in the art at the time of the invention would have been motivated to combine or modify Sheets with Gurley and/or Lemon. The Office Action fails to describe how one skilled in the art would have chosen to combine the systems of Sheets, Lemon and Gurley. The Office Action does not describe what portions (if any) of the systems described in Sheets, Lemon and Gurley would have been retained in the combination and what portions (if any) would have been eliminated from the combination. In short, it appears that the Office Action has provided no basis supporting a combination based on Sheets, Lemon and Gurley. Moreover, if the rejection of claim 152 is only based on Gurley and Lemon, then the rejection is incomplete for the further reason that the Office Action does not identify what portions of Lemon or Gurley disclose or suggest the elements of claim 136.

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In addition, the Office Action makes no allegation as to whether the subject matter of claim 152 is taught or suggested by Gurley or by Lemon. The Office Action states that "Gurley failed to disclose a remote reboot system for a series of daisy chained computers. However, Lemon disclosed a remote rebooting system for networked computers." (Office Action, p. 22). But claim 152 recites subject matter beyond the concept of a "remote rebooting system for networked computers." For example, the Office Action does not allege that Gurley or Lemon teach or suggest a system "wherein the computer processor receives AC power and the computer access interface receives a request to break the AC power and then coordinates a break in the AC power to the computer processor." In the cited portion of Lemon, all that is disclosed is that the terminal T receives a reboot command, and apparently reboots itself. There is no teaching or suggestion that Lemon's terminals are rebooted in the manner recited in claim 152 – i.e., when a "computer access interface receives a request to break the AC power," it "then coordinates a break in the AC power to the computer processor." Thus, the cited combination of Gurley and Lemon does not teach or suggest the subject matter of claim 152.

The rejection of claim 152 is incorrect. Claim 152 is patentable over the cited references for at least the reasons provided above.

6.   Claim 153

Dependent claim 153 recites:

> 153. The system of claim 152, further including a power break
> component receiving the AC power and delivering the AC power to
> the computer processor, wherein the computer access interface
> delivers a power break command signal to the power break
> component upon receipt of the request to break.

The Office Action makes no allegation as to whether the subject matter of claim 153 is taught or suggested by Gurley or by Lemon. The Office Action states that "Gurley failed to

disclose a remote reboot system for a series of daisy chained computers. However, Lemon disclosed a remote rebooting system for networked computers." (Office Action, p. 22). But claim 153 recites subject matter beyond the concept of a "remote rebooting system for networked computers." For example, the Office Action does not allege that Gurley or Lemon teach or suggest a system "further including a power break component receiving the AC power and delivering the AC power to the computer processor." Moreover, Gurley and Lemon are not alleged to teach or suggest a "computer access interface [that] delivers a power break command signal to the power break component upon receipt of the request to break." In the cited portion of Lemon, all that is disclosed is that the terminal T receives a reboot command, and apparently reboots itself. There is no teaching or suggestion that Lemon's terminals are rebooted in the manner recited in claim 153 – i.e., with a "power break component" wherein "the computer access interface delivers a power break command signal to the power break component upon receipt of the request to break." Thus, the cited combination of Gurley and Lemon does not teach or suggest the subject matter of claim 153.

The rejection of claim 153 is incorrect. Claim 153 is patentable over the cited references for at least the reasons provided above.

J.   **Rejection of Claims 154-156, and 222-226 under 35 U.S.C. § 103(a) as being rendered Obvious by Farrand (US 5,444,849) in view of Sheets (US 4,513,373)**

The Office Action rejects claims 154-156, and 222-226 under 35 U.S.C. § 103(a) as being unpatentable over Farrand (US 5,444,849) in view of Sheets (US 4,513,373). I find that the cited combination of Farrand in view of Sheets does not teach or suggest the elements of the rejected claims for at least the reasons provided below. Thus, I conclude that the rejections are incorrect.

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1. The Office Action has not Identified Sufficient Evidence Supporting Its Combination of Farrand and Sheets

The Office Action has not provided a proper explanation for why one skilled in the art would have combined Farrand and Sheets. The Office Action states that Farrand discloses a network management system which notified an administrator on the occurrence of various events in the network. (Office Action, p. 22). The Office Action also alleges that Farrand supports reboot of a system. (Office Action, p. 22). The Office Action then concludes that it would have been obvious to combine the cited portions of Farrand and Sheets because it would have been obvious "to use Farrand with the network taught by Sheets since Sheets was a LAN and Farrand was designed for use with a LAN." (Office Action, p. 22).

First, if Farrand were combined with Sheets' system (which is the entire system shown in Sheets' Figure), it is unclear what system would result from that combination. Sheets is directed to allowing computer 52 to communicate through various protocol converters 30, 32, 34, 36 and port selector 12 to the stations and terminals 14, 16, 18, 20, 22, 24. (Sheets, Figure, and col. 2:1-6). Farrand is directed to a system manager for a computer system and in particular to a protocol for asynchronous data transfers between a remote system manager facility and the system manager. (Farrand, col. 1:40-44). The Office Action has identified no evidence why one skilled in the art would have recognized a deficiency in Farrand or Sheets that would have prompted that person to combine the teachings of Farrand with Sheets (or vice versa). Even if both references disclose or suggest the use of computer networks, that fact would not explain why one would modify fully-functional systems that were designed for different purposes.

Moreover, the Office Action has not provided evidence of what portions of Farrand or Sheets the artisan would have retained as part of the combined system assuming (for the sake of argument) that the artisan would have been motivated to combine Farrand and Sheets. For

example, Sheets' stations and terminals 14, 16, 18, 20, 22, 24, the port selector 12, the protocol converters 30, 32, 34, 36, modem sharing device 38, modems 40, 44, front end communications controller 50, and computer 52 are all described as essential for implementing the system of Sheets. The Office Action does not provide any evidence of which, if any, of these system elements would have been deleted by the artisan when combining Farrand with Sheets. Farrand describes the EISA server 12, asynchronous link 40 (which may be a telephone connection), network 28, and computer station 30 as required elements of the Farrand system. The Office Action does not provide any evidence of which, if any, of these system elements would have been deleted by the artisan when combining Farrand with Sheets. Nor does the Office Action provide evidence that one skilled in the art would have known how to combine elements of Farrand with Sheets to result in an operative system. Without this evidence, I find that one skilled in the art at the time of the present inventions would not have been motivated to combine Farrand with Sheets, much less make the specific combination of references that the Office Action is apparently making in rejecting the claims.

Additionally, the Office Action provides no evidence of how the Farrand and Sheets systems would be aligned in a combination of the systems. Sheets identifies its network as network 10 – i.e., the entire system shown in the Figure. (Sheets, col. 3, line 15). This type of "network" is entirely different from the networks described for use in Farrand, including Token ring, Ethernet, etc. (Farrand, col. 6:2-5). The Office Action does not identify where one skilled in the art would insert the Farrand EISA server 12, for example, into Sheets' network 10. Thus, I do not agree that one skilled in the art at the time of the present invention would have been motivated to combine Farrand and Sheets, much less combine those references in a manner that renders the claims obvious.

Because Farrand cannot be properly combined with Sheets, as alleged in the Office Action, I find that the Office Action has not established that claims 154-156, and 222-226 are obvious based on the Farrand/Sheets combination.

2. Claim 154

Dependent claim 154 recites:

> 154. The system of claim 136, wherein the computer access interface includes a page alert process generating an outgoing phone call to a predefined page number whenever a remote access user of the remote access facility fails to enter an appropriate access code.

With respect to claim 136, the Office Action appeared to allege that the "computer access interface" corresponded to terminals 22 and 24. But for claim 154, the Office Action cites Farrand for the alleged disclosure of "computer access interface" because Farrand allegedly discloses a system that provides alerts to an administrator. Thus, the Office Action is reading the cited references inconsistently. Either Farrand or Sheets must be relied upon for allegedly disclosing the "computer access interface." The Office Action cannot properly cite Sheets for that disclosure for claim 136, and then rely on Farrand for that alleged disclosure in dependent claim 154.

Giving the Office Action a flexible reading, the Office Action appears to allege that Farrand's column 10, lines 8-30, and column 12, lines 20-67, disclose the subject matter of claim 154. But nothing in those cited portions of Farrand discloses a system that "generat[es] an outgoing phone call to a predefined page number whenever a remote access user of the remote access facility fails to enter an appropriate access code." Thus, the cited combination of Farrand and Sheets does not teach or suggest the subject matter of claim 154.

The rejection of claim 154 is incorrect. Claim 154 is patentable over the cited references for at least the reasons provided above.

3.   Claim 155

Dependent claim 155 recites:

> 155. The system of claim 136, wherein the computer access interface generates a predefined audio signal whenever a remote access user establishes communication with the computer access interface via the remote access facility.

With respect to claim 136, the Office Action appeared to allege that the "computer access interface" corresponded to terminals 22 and 24. But for claim 155, the Office Action cites Farrand for the alleged disclosure of "computer access interface" because Farrand allegedly discloses a system that provides alerts to an administrator. Thus, the Office Action is reading the cited references inconsistently. Either Farrand or Sheets must be relied upon for allegedly disclosing the "computer access interface." The Office Action cannot properly cite Sheets for that disclosure for claim 136, and then rely on Farrand for that alleged disclosure in dependent claim 155.

Giving the Office Action a flexible reading, the Office Action appears to allege that Farrand's column 10, lines 8-30, and column 12, lines 20-67, disclose the subject matter of claim 155. But nothing in those cited portions of Farrand discloses a system that "generates a predefined audio signal whenever a remote access user establishes communication with the computer access interface via the remote access facility." Farrand's voice synthesis logic 82 does not generate any predefined audio signals "whenever a remote access user establishes communication with the computer access interface via the remote access facility." Instead, the voice synthesis logic generates audio signals when particular alert conditions exist. Thus, the cited combination of Farrand and Sheets does not teach or suggest the subject matter of claim 155.

The rejection of claim 155 is incorrect. Claim 155 is patentable over the cited references for at least the reasons provided above.

4.   Claim 156

Dependent claim 156 recites:

> 156. The system of claim 136, wherein the computer access interface generates a predefined visual signal whenever a remote access user establishes communication with the computer access interface via the remote access facility.

With respect to claim 136, the Office Action appeared to allege that the "computer access interface" corresponded to terminals 22 and 24. But for claim 156, the Office Action cites Farrand for the alleged disclosure of "computer access interface" because Farrand allegedly discloses a system that provides alerts to an administrator. Thus, the Office Action is reading the cited references inconsistently. Either Farrand or Sheets must be relied upon for allegedly disclosing the "computer access interface." The Office Action cannot properly cite Sheets for that disclosure for claim 136, and then rely on Farrand for that alleged disclosure in dependent claim 156.

Giving the Office Action a flexible reading, the Office Action appears to allege that Farrand's column 10, lines 8-30, and column 12, lines 20-67, disclose the subject matter of claim 156. But nothing in those cited portions of Farrand discloses a system that "generates a predefined visual signal whenever a remote access user establishes communication with the computer access interface via the remote access facility." The Farrand citations do not disclose the generation of a predefined visual signal when a remote user establishes communication with the computer access interface via the remote access facility. At most, the voice synthesis logic 82 generates audio signals when particular alert conditions exist. Thus, the cited combination of Farrand and Sheets does not teach or suggest the subject matter of claim 156.

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The rejection of claim 156 is incorrect. Claim 156 is patentable over the cited references for at least the reasons provided above.

5. Claim 222

Independent claim 222 recites:

> 222. A remote access device to remotely control a host computer and to receive at a remote location a video signal from the host computer, comprising:
>
> a remote access engine between the host computer and the remote location to coordinate delivery of data packets along a telecommunications link between the host computer and the remote location; and
>
> a remote access controller, including a remote access control card communicating with the telecommunications link, to read a present caller ID associated with the remote location, to store a list of predefined caller IDs, to compare the present caller ID with the list and to disable the remote access engine whenever the present caller ID fails to match any from the list of predefined caller IDs.

The Office Action has not identified where in Farrand or Sheets each of the elements of independent claim 222 are alleged to be taught or suggested. I understand that, at a minimum, a proper rejection must show where each cited reference, alone or in combination with other references, teaches or suggests each element of the rejected claim. Thus, because the Office Action fails to do this, it appears that the rejection of claim 222 (and its dependent claims) is incorrect for at least this reason.

More specifically, the Office Action does not allege that the Farrand/Sheets combination teaches or suggests "a remote access device to remotely control a host computer and to receive at a remote location a video signal from the host computer." The combination is not alleged to teach or suggest "a remote access engine between the host computer and the remote location to coordinate delivery of data packets along a telecommunications link between the host computer

and the remote location." Nor is the combination alleged to teach or suggest "a remote access

controller, including a remote access control card communicating with the telecommunications

link, to read a present caller ID associated with the remote location, to store a list of predefined

caller IDs, to compare the present caller ID with the list and to disable the remote access engine

whenever the present caller ID fails to match any from the list of predefined caller IDs." The

Office Action alleges that Farrand discloses video and audio alerts to an administrator, but

Farrand is not alleged to disclose the elements recited in claim 222. Thus, the cited combination

of Farrand and Sheets does not teach or suggest the subject matter of claim 222.

The rejection of claim 222 is incorrect. Claim 222 is patentable over the cited references

for at least the reasons provided above.

6.   Claim 223

Dependent claim 223 recites:

> 223. A remote access device according to claim 222, wherein the
> remote access controller further includes a telephone jack to
> automatically issue a page alert to a predefined telephone number
> whenever the present caller ID fails to match any from the list of
> predefined caller IDs.

Although Farrand is cited to the generation of alerts to an administrator, the cited portions

of Farrand do not teach or suggest a system that "automatically issue[s] a page alert to a

predefined telephone number whenever the present caller ID fails to match any from the list of

predefined caller IDs." Thus, the cited combination of Farrand and Sheets does not teach or

suggest the subject matter of claim 223.

The rejection of claim 223 is incorrect. Claim 223 is patentable over the cited references

for at least the reasons provided above.

7.   Claim 224

Dependent claim 224 recites:

> 224. A remote access device according to claim 222, wherein the remote access controller further resets the host computer wherever the predefined caller ID matches the present caller ID.

The Office Action does not allege that the Farrand/Sheets combination teaches or suggests the subject matter of claim 224. Indeed, the cited portions of Farrand (upon which the Office Action seems to rely most heavily for claims 222-226) do not teach or suggest a system in which "the remote access controller further resets the host computer wherever the predefined caller ID matches the present caller ID." Thus, the cited combination of Farrand and Sheets does not teach or suggest the subject matter of claim 224.

The rejection of claim 224 is incorrect. Claim 224 is patentable over the cited references for at least the reasons provided above.

8.   Claim 225

Dependent claim 225 recites:

> 225. A remote access device according to claim 222, wherein the remote access controller further reboots the host computer wherever the predefined caller ID matches the present caller ID.

The Office Action does not allege that the Farrand/Sheets combination teaches or suggests the subject matter of claim 225. Indeed, the cited portions of Farrand (upon which the Office Action seems to rely most heavily for claims 222-226) do not teach or suggest a system in which "the remote access controller further reboots the host computer wherever the predefined caller ID matches the present caller ID." Thus, the cited combination of Farrand and Sheets does not teach or suggest the subject matter of claim 225.

The rejection of claim 225 is incorrect. Claim 225 is patentable over the cited references for at least the reasons provided above.

9. Claim 226

Dependent claim 226 recites:

> 226. A remote access device according to claim 222, further including an external modem and a control module providing AC power to the host computer, the external modem communicating with the control module and automatically answering calls received by the external modem on a different telecommunications link, said control module temporarily interrupting power to the host computer whenever said external modem automatically answers a call.

The Office Action does not allege that the Farrand/Sheets combination teaches or suggests the subject matter of claim 226. Indeed, the cited portions of Farrand (upon which the Office Action seems to rely most heavily for claims 222-226) do not teach or suggest a system "further including an external modem and a control module providing AC power to the host computer, the external modem communicating with the control module and automatically answering calls received by the external modem on a different telecommunications link, said control module temporarily interrupting power to the host computer whenever said external modem automatically answers a call." I do not find a teaching or suggestion of these claim elements in the cited portions of Sheets either. Thus, the cited combination of Farrand and Sheets does not teach or suggest the subject matter of claim 226.

The rejection of claim 226 is incorrect. Claim 226 is patentable over the cited references for at least the reasons provided above.
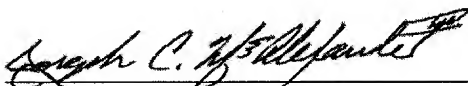
VI. CONCLUSION

As shown in my Curriculum Vitae, I have previously been retained by counsel for Avocent, the assignee of the '212 patent, as a technical expert in patent infringement litigation,

and other clients as referenced in my Curriculum Vitae. My compensation for work performed in those litigations was not contingent on the outcome of the respective case.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: May 7, 2009

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Joseph C. McAlexander, III